

In the Privy Council.

IN THE MATTER OF THE FOUNDATION CALLED OR KNOWN AS ST. PAUL'S SCHOOL, LONDON, FOUNDED BY DEAN COLET, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th July, 1879, and made under their ordinary jurisdiction;

AND

IN THE MATTER OF A NEW SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION approved by the Committee of Council on Education on the 24th day of August, 1894, and published on the 27th day of the same month;

AND

IN THE MATTER OF THE ENDOWED SCHOOLS ACTS 1869, 1873 AND 1874.

APPELLANTS' AND RESPONDENTS' CASES, AND APPENDIX.

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In the Privy Council.

IN THE MATTER of the FOUNDATION called or known as ST. PAUL'S SCHOOL, LONDON, founded by Dean Colet, now regulated by a Scheme made under the Endowed Schools Acts, on the 24th of March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th of July, 1879, and made under their ordinary Jurisdiction ;

AND

IN THE MATTER of a New Scheme for the Administration of the above-named Foundation, approved by the Committee of Council on Education on the 24th day of August, 1894, and published on the 27th day of the same month ;

AND

IN THE MATTER of the Endowed Schools Acts 1869, 1873, and 1874.

CASE OF THE APPELLANTS

The GOVERNING BODY of the said FOUNDATION to HER MAJESTY
IN COUNCIL against the above-mentioned new Scheme.

1. This is an Appeal of the Governing Body of the above-mentioned Foundation of St. Paul's School against a Scheme of the Charity Commissioners for the administration of the Foundation of St. Paul's School, which was approved by the Committee of Council on Education on the 24th day of August, 1894. App. p. 8.

2. The School was founded about the year 1512, by Dr. John Colet, Dean of St. Paul's, who, having built a school house at the east end of St. Paul's Church Yard "for 153 to be taught free in the same," and having endowed the School with lands, and made the Mercers' Company Governors, and having
10 appointed William Lily (the earliest teacher of Greek in London) to be Master, drew up ordinances for the management and regulation of the School, and subsequently by his will dated the 10th day of June, 1514, devised certain additional estates to the Mercers' Company to enable them to carry on the School so founded by him. Rep. of Lord Clarendon's Commission, p. 3.
Do. p. 187.

3. A copy of the ordinances is to be found in the Appendix. They provided that "In that school there shall be first a High Master. This High
" Master in doctrine, learning, and teaching shall direct all the school. This App. p. 13
App. p. 13.

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“ High Master shall be chosen by the Wardens and Assistants of the Mercery, “ a man whole in body, honest and virtuous, and learned in good and clean “ Latin Literature, and also in Greek if such may be gotten, a wedded man, a “ single man, or a priest that hath no benefice with cure, nor service that may “ let his due business in the school. The Mercers shall assemble together in “ the school house, with such advice and counsel of well literate and learned “ men as they can get, they shall choose this Master and give unto him his “ charge.” They also provided that the Court of Assistants of the Mercers’ Company “ shall have all the cure and charge, rule and governance ” of the School, and that they should have power to amend and construe the ordinances 10 made by him. They provided for the appointment by the Mercers’ Company of a Chaplain, and prescribed his duties, and in particular as follows, “ He shall teach the children the Cathechyzon, and instruction of the Articles of “ the Faith and the Ten Commandments in English.” There were to be taught in the School children of all nations and countries indifferently to the number of 153, and the Master was to admit them from time to time, but “ first see that they can the Cathechyzon,” and also “ that he can read and “ write competently, else let him not be admitted in nowise.” These ordinances also contained these words, “ For my intent is by this School “ specially to increase knowledge and worshipping of God and our Lord Christ 20 “ Jesu, and good Christian life and manners in the children. And for that “ intent I will the children learn first above all the Cathechyzon in “ English and the Institute of a Christian man.” And the founder by these ordinances left it wholly to the direction and charity of the Wardens and Assistants of the Mercers’ Company, “ with such other counsel as they shall “ call unto them, good lettered and learned men, they to add and diminish “ unto this book, and to supply in it every default, and also to declare in it “ every obscurity and darkness as time and place and just occasion shall “ require.”

4. The effect of the foregoing regulations, made by the founder in his 30 lifetime, was that the scholars educated by this endowment were required to learn or to be instructed according to the doctrines of the Church of England. This has been recognised by the several Royal Commissions that have inquired into the affairs of the Foundation, and made Schemes for its regulation as hereinafter stated.

5. These ordinances were amended under the power reserved by the Court of Assistants of the Mercers’ Company, with the advice of the Solicitor-General and another counsel, in the year 1602, but not so as to affect the above-cited requirements as to religious instruction. New ordinances and regulations have from time to time been made in the mode and system of education (not 40 affecting the said requirements), and the general management of the School and property.

6. From the death of Dr. Colet until the coming into force of the Scheme of 1876 the School was carried on under the exclusive management of the Court of Assistants, and the revenues of the estates of Dr. Colet, which rapidly increased, were applied entirely for the purposes of the School, which was most successfully developed and won for itself the highest reputation.

S. Act, 1869,
c. 19.

E. of Lord
Trentham's
Commission, p. 189
and 584 App.).

p. 189.

p. 196.

p. 188.

7. As the property of the Foundation increased in value the Mercers' Company raised the number of masters from two to seven, and augmented their stipends from time to time. Surplus income was invested and accumulated to the credit of the School. At St. Paul's there was no distinction between foundationers and non-foundationers. Every boy was a scholar on the Foundation from the moment of his admission, and as such received, in accordance with the intentions of the founder, a gratuitous education. The number was restricted to 153, with the respect due to the same intentions. The scholars were nominated by each member of the Court of Assistants in rotation, and admitted by the High Master. There was an entrance examination, but it was not severe. The School was mainly classical, and promotion depended on proficiency in classics alone. There were leaving exhibitions, two of which, tenable at Trinity College, Cambridge, were derived from a separate endowment founded by Viscount Campden, which is not the subject of this Appeal.

8. In 1854 began a series of Acts for the reform of the higher education in England. In that year was passed the Act 17 & 18 Vic. c. 81, "to make further provision for the good government and extension of the University of Oxford, of the colleges therein, and of the College of St. Mary, Winchester." This was followed in 1856 by the Act 19 & 20 Vic. c. 88, "to make further provision for the good government and extension of the University of Cambridge, of the colleges therein, and of the college of King Henry the Sixth at Eton." By each of these Acts Commissioners were appointed to hold office for a maximum period of less than three years. The University and the Colleges respectively were empowered to make and submit to the Commissioners new statutes which the Commissioners might approve, or they might themselves frame new statutes. Such new statutes were to be laid before the Queen in Council, and a right of appeal was given. Finally, the statutes were to be laid before both Houses of Parliament, and either House might address Her Majesty against them. On Her Majesty's approval the statutes were to become law, but on disapproval the Commissioners might frame new statutes in like manner. Every statute so-made was to be subject to repeal and alteration from time to time by the university or college concerned, with the approval of Her Majesty in Council, without any reference to the Commissioners. No power was reserved to the Commissioners of repealing or altering any statute once made under the Act. A similar Act was passed in 1861 (24 & 25 Vic. c. 82) for the University of Durham.

9. In 1861 a Royal Commission was issued to inquire into the nature and application of the endowments, funds, and revenues of Eton College, Winchester College, Westminster School, the Charterhouse, St. Paul's School, the Merchant Taylors' School, Harrow School, Rugby School, and Shrewsbury School, and also into the administration and management of these colleges and schools and the instruction given in them. Of this Commission the Earl of Clarendon was Chairman. The colleges and schools were selected as being the nine great public schools of England. The Commission reported in 1864, recommending generally reform of the Governing Bodies, and revision under competent authority of the statutes and regulations, and that subsequently

Rep. of Lord
Clarendon's
Commission, p. 18

Do. p. 188.
Do. p. 190.

Do. p. 191.

Do. p. 192.

17 & 18 Vic. c.
sec. 1.
19 & 20 Vic. c.
sec. 1.

17 & 18 Vic. c.
secs. 28-30.
19 & 20 Vic. c.
secs. 25-31.

17 & 18 Vic. c.
secs. 35, 36.
19 & 20 Vic. c.
secs. 39, 41.

17 & 18 Vic. c.
sec. 39.
19 & 20 Vic. c.
sec. 43.

Rep. of Lord
Clarendon's
Commission, p. 5

the Governing Body of each college and school should be empowered, with the consent of the Queen in Council or the Visitor, to amend its statutes from time to time. In reference to St. Paul's School in particular the Commissioners recommended that, while the management of the property might properly be left to the Mercers' Company, some modification should be made in the Governing Body of the School, and that effect should be given to the ordinance of the founder that on important occasions recourse should be had to the advice of "well literate and learned men." They suggested therefore such a reconstitution of the Governing Body as should include on the one hand the Master, Wardens and Surveyors (who were members and officers of the Company referred to by the founder), with perhaps one or two elective members of the Company, and on the other an equal number of persons extraneous to the Company, to be selected by the Crown in consideration of personal eminence or special fitness to superintend a place of liberal education. They also recommended enlargement of the School, and the substitution of limited competition for the system of nomination of the scholars.

10. In 1864 another Royal Commission was issued to inquire into the education given in schools not comprised in the Commissions of 1858 (relating to elementary education) and 1861, and to consider and report what measures, if any, were required for the improvement of such education, having especial regard to all endowments applicable or which could rightly be made applicable thereto. Of this Commission Lord Taunton was Chairman. It reported in 1867. The Commissioners recommended the reform of the governing bodies and revision of the statutes and regulations by means of schemes to be approved by the Charity Commissioners on a procedure analogous to that of the Oxford and Cambridge Reform Acts above referred to.

11. In the following year the Public Schools Act, 1868, was passed. It was founded, as stated in the preamble, on the Report of Lord Clarendon's Commission, but did not extend to St. Paul's School or the Merchant Taylors' School, because at that time the Companies administering those schools claimed them as corporate and not charitable institutions. The claim on the part of the Mercers' Company to St. Paul's School was over-ruled by a decision of the Court of Chancery shortly afterwards. The other seven of the nine great schools were dealt with by this Act. The analogy of the Oxford and Cambridge Reform Acts was followed. An executive Commission was appointed to hold office for a maximum period of less than four years. The governing bodies were empowered to make and submit to the Commissioners new statutes and regulations which the Commissioners might approve, or the Commissioners might themselves frame new statutes and regulations subject to the approval of Her Majesty in Council, which might be granted in the absence of disapproval by either House of Parliament. After the expiration of the powers of the Commissioners statutes might be repealed or altered by the governing body in the same manner as they might be made, except as to approval by the Commissioners; and regulations relating to internal government might be made, altered, or repealed by the governing body at their discretion. No power was reserved to the Commissioners of repealing or altering any statute or regulation once made under the Act.

12. The principle embodied in each of the said Acts relating to Oxford, Cambridge, Durham, Eton, Winchester, Westminster, Charterhouse, Harrow, Rugby, and Shrewsbury was that, with due regard to the intentions of founders, the several foundations should undergo one (and only one) thorough reorganisation, with the sanction of Commissioners specially appointed for the purpose, and that by means of new statutes they should be started on a fresh career in the service of the higher education of the country. Any subsequent amendment of such new statutes was entrusted, not to the Commissioners, whose office was transient, but to the governing bodies of the respective foundations, with the approval in some cases of a Committee of Her Majesty's Council. Under these Acts new statutes were made, and each Commission expired on the completion of its work of reorganisation.

13. The Endowed Schools Act, 1869, the construction of which is in question on this Appeal, was then passed. It was founded, as stated in the preamble, on the Report of Lord Taunton's Commission. It is not disputed that the endowments of St. Paul's School fell within the scope of the Act, although it was outside the scope of that Commission. There were about 3,000 schools or foundations for schools altogether within the Act. Following the precedents of the universities, colleges, and public schools, Commissioners were appointed for a maximum period of less than four years. Under the heading "Reorganisation of Endowed Schools," it was enacted by sections 9 and 10 that the Commissioners should have power in such manner as might render any educational endowment most conducive to the advancement of the education of boys and girls, to prepare schemes for making new trusts for any such educational endowment and for altering the governing body thereof. There were a series of sections (15-22) directing certain provisions to be inserted in every scheme appropriate to the first reorganising scheme for every foundation. In section 28 there was a provision for the alteration of any reorganising scheme from time to time by the Charity Commissioners in the exercise of their ordinary jurisdiction, meaning their jurisdiction under the Charitable Trusts Act, 1853, and amending Acts. Under another heading, "Procedure for making Schemes," the proceedings of the Commissioners and the Committee of Council on Education respectively were prescribed. The initiative in proposing schemes was not, as in the Universities, Colleges, and Public Schools Acts, given to all governing bodies (though all had the right of submitting alternative schemes), but it was given (section 32) to the governing bodies of all endowments the income of which exceeded £1,000 a year. Under this section the Governing Body of St. Paul's School were allowed six months after the commencement of the Act to prepare and submit to the Commissioners a scheme of their own, which the Commissioners were bound to consider before themselves preparing a scheme, and which, in the event of their rejecting it, they were bound to send up in competition with their own scheme to the Committee of Council on Education. Under the same heading of Procedure there were provisions for appeal to the Queen in Council in certain cases and for laying schemes before Parliament, and expressly empowering the Commissioners in the case of non-approval by Her Majesty of any scheme to prepare a new scheme in the same matter. And there was a section (41)

32 & 33 Vict. c. 5

Rep. of Lord
Taunton's
Commission, p. 1

for the amendment of schemes approved under the Act by schemes framed according to the same provisions as those which applied to original schemes, but this section was not made to apply to schemes to be made by the Charity Commissioners in the exercise of their ordinary jurisdiction. Notwithstanding section 44, the whole tenor of the Act, as the Appellants submit, is opposed to the interpretation that the Commissioners had power conferred on them of making reorganising schemes for the same Foundation from time to time.

14. By the Endowed Schools Act, 1873, several amendments of the law were introduced, and in particular by section 10 it was provided that the power of alteration should be exercised by the Charity Commissioners in the exercise of their ordinary jurisdiction (which had been conferred as a common form in all schemes) should only be exercised upon the same application and after the same procedure and notices, and subject to the same rights of appeal as in the case of other schemes under the Charitable Trusts Acts. By the Endowed Schools Act, 1874, the powers of the original Commissioners under the Acts of 1869 and 1873 were transferred to the Charity Commissioners. Those powers, though never made permanent, have been kept in existence by successive Acts down to the present time, the last of which was the Expiring Laws Continuance Act, 1894, which extended the time for their exercise until the 31st December, 1896.

15. On the 11th February, 1870, the judgment was delivered by which it was decided that the endowment of St. Paul's School was the subject of a charitable trust. The Mercers' Company did not avail themselves of their right to prepare and submit a scheme of their own under the Endowed Schools Act, 1869. In October 1873 the Commissioners under that Act requested to be informed if the Company had any suggestion for a new scheme to lay before the Commissioners. Negotiations ensued between the Company and the Commissioners, and at a later date between the Company and the Committee of Council on Education, which resulted in a compromise formulated in a Scheme of reorganisation approved by Her Majesty in Council on the 24th March, 1876.

16. By the Scheme of 1876 the Mercers' Company surrendered the exclusive government of the School and the nomination of the scholars. The management of the property was retained by them. The School was to be removed to another site and developed into two schools, classical and modern, or, at the option of the Governors, a school in two departments for 1,000 boys, and a high school for 400 girls, was to be added. The 153 scholarships were thrown open to competition in the Boys' School, and 39 were to be founded for the Girls' School. The government of the Boys' School was committed to 22 Governors, viz., the Master and three Wardens of the Company, nine Governors to be appointed by the Court of Assistants of the Company, and three to be appointed by each of the Universities of Oxford, Cambridge, and London. The nine University Governors were in substitution for the "well literate and "learned men" referred to by the founder and by Lord Clarendon's Commission, but the representatives of the Mercers' Company were to be in a majority on the Governing Body in the proportion of 13 to 9, and the Master was to be Chairman *ex officio*. The Scheme provided for religious education according to the principles of the Church of England, with a conscience clause for day

scholars only, the Commissioners having directed that in the case of this educational endowment they were not bound to insert in the Scheme the boarding-house conscience clause from section 16 of the Act of 1869. Provision was made for the admission of boarders in masters' houses. Fees were made payable in the schools by all boys or girls other than scholars on the Foundation. For the management of the Girls' School when formed four women were to be added to the Governing Body by co-optation. The education in each school was to be of the highest grade. The Scheme contained the following clause, founded on section 28 of the Act: "87. The Charity

App. p. 100.

- 10 " Commissioners may, upon the application of the Company or of the Governors, " from time to time in the exercise of their ordinary jurisdiction, frame schemes " for the alteration of any provisions of this Scheme, provided that such " schemes be not inconsistent with the first clause of this Scheme, or with " anything contained in the Endowed Schools Acts 1869 and 1873." The first clause of the Scheme stated the object of the Foundation to be to supply liberal education for boys and girls by means of schools in or near London.

17. The first Governors having been appointed under the Scheme, and having entered into office, determined, in pursuance of the option given them by the Scheme, to establish a single school for about 1,000 boys, with classical
- 20 and modern departments, instead of two schools, and they prepared and submitted to the Charity Commissioners alterations in the Scheme of 1876 rendered, in their opinion, necessary in consequence of such determination, and on the 10th May, 1878, applied for an Order of the Commissioners under their ordinary jurisdiction to give effect to such alterations. On such application the Commissioners, in exercise of the power conferred on them by clause 87 of the Scheme of 1876, as explained by the Endowed Schools Act, 1873, section 10, and of their ordinary jurisdiction under the Charitable Trusts Acts, by Order under their seal dated the 4th July, 1879, with the assent of all parties, established a new Scheme for the regulation of the Foundation. The
- 30 first clause of this Scheme was identical with the first clause of the Scheme of 1876. The second clause was as follows:—

App. p. 100.

App. p. 105.

App. p. 108.

" 2. From the date of this Scheme, all the particulars which, by the " Endowed Schools Acts, 1869, 1873, and 1874, are capable of being hereby " repealed and abrogated shall, so far as relates to the management of the " Foundation, but not to the vesting of the property thereof in the Mercers' " Company (hereinafter called the Company) be repealed and abrogated."

- This was a repetition of clause 2 of the Scheme of 1876, but operating from a later date, it had the effect of abrogating the entire Scheme of 1876, so that the Scheme of 1879 is the only Scheme now in force, and it is a Scheme made
- 40 under the Charitable Trusts Acts, and not a Scheme approved under the Endowed Schools Acts. The result is that to this Scheme section 44 of the Endowed Schools Act, 1869, does not apply.

18. The principal provisions of the Scheme of 1879 were:—

That all the estates and property of the Foundation should continue to be vested in the Mercers' Company, and except such part as was required to be occupied for the purposes of the Schools should continue to be managed by the Company or their Court of Assistants, and that the Company, after paying the expenses of management and certain other expenses, should pay the net income to the Governing Body of the Boys' Schools.

cl. 6. App. p. 109.

14. App. p. 111.

That the Governing Body of the Boys' School should consist of 22 Governors, of whom one should be the Master and three the Wardens of the Company for the time being, nine should be appointed by the Court of Assistants of the Company, and the remaining nine should be appointed as follows:—

Three by the Hebdomadal Council of the University of Oxford;

Three by the Council of the Senate of the University of Cambridge;

and

Three by the Senate of the University of London.

That every Governor other than the Master and Wardens of the Company should be appointed to hold office for five years and then retire.

15. App. p. 111.

That after the completion of the buildings for a Girls' School, four women should be added to the Governing Body by co-optation for the management of the Girls' Schools.

35, 36 App. p.

That as soon as conveniently might be sites should be acquired within the jurisdiction of the Metropolitan Board of Works, and that the School should be removed from the existing buildings in St. Paul's Churchyard to new buildings to be erected on the sites acquired, it being intended that the Foundation should ultimately comprise:—

(1) A school to be called St. Paul's School, divided into two departments, one of which shall be a classical department for about 500 boys, and the other a modern department for about 500 boys.

(2) A school or schools to be called Dean Colet's School or Schools, for not less than 400 girls in all.

Such schools and departments respectively to be established in such order of priority as the Governors should deem to be most expedient.

36 App. p. 124.

That any surplus received by the Governors, and unapplied, should be invested for the benefit of the school or schools in respect of which such unapplied surplus should have been stated.

40, 41, 42. App. 117.

The Scheme provided for religious education according to the principles of the Church of England, with a conscience clause for day scholars only.

Section 89 of the Scheme of 1879 repeated section 87 of the Scheme of 1876.

19. In pursuance of this Scheme the Governors in the year 1878 purchased about 16 acres of ground at West Kensington and built thereon the present buildings of St. Paul's School, and in the year 1884 removed the School to those buildings. Under its present management the School has been still further developed, and has increased its reputation and numbers, and it now occupies a position second to none amongst our great public schools. The yearly income of the Foundation (exclusive of the separate Campden endowment for Exhibitions), now exceeds £17,000, apart from tuition fees, which in recent years have risen to nearly £12,000, but the necessary expenditure is great. There is now a surplus of at least £5,000 a year which may be made available for developing the Schools of the Foundation under the existing Scheme, but the Governors have to bear in mind that any material alteration of the present conditions might result in a material reduction of the income from fees. The part of the Scheme relating to the establishment of a Girls' School has not yet been carried out, but the Governors have agreed to purchase a site at Brook Green, for a Girls' School, but the conveyances have not yet been completed. In the interval between 1879 and the present time a great number of girls' schools have been established in and near

London, partly under the Endowed Schools Acts, and partly by the Girls' Public Day School Company, so that the need of action by the Governing Body of St. Paul's in this matter has not been urgent.

20. On the 25th of November, 1890, the Charity Commissioners forwarded to the Governors a copy of a communication which the Commissioners had received, complaining that the provisions of the Scheme relating to a modern department had not been carried out. On receipt of this the Governors referred the matter to two of their body, viz., the Earl of Selborne and Lord Hannen (then Sir James Hannen), for report, and they reported to the Governors on the 4th of March, 1891. The Governors then referred this report to one of their committees called the School Committee, who reported on the 4th of June, 1891. Copies of these reports were sent to the Charity Commissioners accompanied by a letter dated the 25th of June, 1891. This letter, with the reports, is set out in the Appendix.

21. In December 1892 the Commissioners sent to the Governors for their consideration a draft of a proposed new Scheme under the Endowed Schools Acts. The new features in this proposal were to add a Modern School for 500 boys; to restrict the yearly expenditure on St. Paul's School to £8,000, and on each of the other schools to £2,500, and to reserve the application of surplus to some future Scheme; to alter the Governing Bodies of the schools other than St. Paul's School; to alter the provisions as to scholarships; and to sanction the continuance of St. Paul's School as a classical school, with modern departments, under the sole supervision and control of the High Master. Further communications took place between the Commissioners and the Governors, from which it appeared that there was considerable divergency of views between the Commissioners and the Governors. Eventually, in March 1893, the Commissioners prepared and published a draft of the new Scheme in a form not materially differing from the draft of December 1892, except by the introduction from section 16 of the Act of 1869 of the clause known as the Boarding School Conscience Clause. They purported to do this under the powers conferred upon them by the Endowed Schools Acts, 1869, 1873, and 1874. They did not act or claim to act under clause 89 of the Scheme of 1879, or in pursuance of any application of the Company or the Governors, or in any way under their ordinary jurisdiction. This scheme was not assented to by the Governors, but in April 1894 the Commissioners, having struck out from the draft all the provisions for establishing and maintaining the Modern School for boys and the Girls' School, and having made in it certain other material alterations, submitted it to the Committee of Council on Education for their approval.

22. This Scheme so submitted limited the income of the School to the yearly sum of £8,000, exclusive of the cost of permanent structural improvements in the School buildings, which was to be borne by the general funds of the Foundation, and provided that the residue of the income of the Foundation should be invested in the name of the official trustees of charitable funds to the credit of the Foundation, and should be accumulated with a view to a further Scheme. It altered the Governing Body by adding three additional Governors,

to be appointed by the London County Council. It contained no provisions whatever for the establishment of a Girls' School. There were other alterations which will be noticed hereafter.

23. This Scheme was strenuously opposed by the Governing Body of the School, the Mercers' Company, and by the former scholars of the School, as unfair, wholly uncalled for, and fatal to the maintenance of the School in its then state of high efficiency and to its future development. In a letter of the 1st June 1894 from the Mercers' Company to the Committee of Council on Education, after reference to a statement by the Commissioners, that the new "provisions no longer appear to be matter of difference," the following counter-statement is made by the Company:—"As a matter of fact, the three main changes, viz.: (a) the limitation of the income of the School; (b) the alteration in the constitution of the Governing Body; and (c) the value of the Scholarships and the conditions of their tenure, are now, and always have been, persistently objected to by the Company, and, it is believed, also by the Governing Body." The same letter deals with the scheme in detail. In a letter of the 30th May 1894 from the Governing Body to the Committee of Council similar objections are expressed. The Governing Body also objected to the excision of that part of the Scheme of 1879 which provided for a Girls' School. Copies of the letters from these bodies, containing their objections and suggestions, are set out in the Appendix.

24. The Scheme, after being duly published under the Act of 1873, section 13, and considered by the Committee of Council on Education, was on the 13th August, 1894, remitted by them to the Charity Commissioners with a letter containing a declaration which was not published, and of which the Appellants were ignorant until very recently. The Charity Commissioners thereupon made some amendments in part of the Scheme, altering the annual sum to be allowed for St. Paul's School to £9,000, and included in it a Scheme for a Girls' School, to be called Dean Colet's School, with a new Governing Body, and in that form submitted the Scheme to the Committee of Council on Education, who finally signified their approval of it on the 24th August, 1894. On the 9th August, 1894 (before such final approval), the Governors addressed a letter on this subject to the Vice-President of the Committee of Council, founded on information as to the final form of the new Scheme given them by him at an interview on the 18th July, 1894. On the 18th August, 1894, they received a short answer stating that the matter was no longer open to consideration. These letters are set out in the Appendix.

25. The Appellants contend that the Scheme so approved by the Committee of Council is one which has not been made in conformity with the Endowed Schools Acts. By the course which was adopted of striking out of the Commissioners' published draft all the provisions relating to the Girls' School, before the Scheme was submitted in the first instance to the Committee of Council on Education, and then, after the publication by the Committee of Council had taken place and the period for receiving objections and suggestions had expired, inserting provisions for a Girls' School, as if they were no more than an amendment of the Scheme, the Appellants have been deprived of their statutory right to send in to the Committee of Council objections or suggestions respecting

the Scheme. The contention of the Appellants is that under section 13 of the Act of 1873, coupled with section 40 of the Act of 1869, a Scheme remitted by the Committee of Council, although it may be "amended" in the ordinary sense of that word, cannot be so reconstructed so as to make it substantially "another scheme" without repeating the whole procedure, "as if no Scheme had been previously prepared." The Appellants would have sent in objections to the new Scheme under the Acts if they had had the opportunity. In particular they would have made objections and suggestions concerning the detailed provisions made applicable to the Girls' School, the establishment of which they themselves have always had in contemplation under the existing Scheme.

26. The net income of the Foundation (apart from the Campden Exhibitions endowment) slightly exceeds £17,000. By clause 15 the income applicable to St. Paul's School is to be limited to £9,000 per annum, exclusive of the cost of ordinary repairs and permanent structural improvements in the buildings of the School. An arbitrary limit of this kind cannot be justified as promoting the greater efficiency of the endowment, or rendering it more conducive to the education of boys and girls. The finance will work out as follows:—

20 INCOME 1893 :

Tuition fees	£11,881	App. p. 243.
Proposed endowment	9,000	
	<hr/>	
	£20,881	

EXPENDITURE 1893 £23,046

Deduct—

Repairs £1,673

Campden's exhibitions 930

— 2,603

20,443

Balance £438

Since the accounts for 1893 were made up this small balance of £438 has been reduced to about £250, by an increase in exhibitions as stated in Mr. Watney's letter of the 9th August, 1894, set forth in the Appendix.

App. p. 260.

St. Paul's School on its present footing is a young and growing Foundation. The demands of higher education are continually increasing in magnitude and developing in new directions. The Governors already foresee the necessity of enlarging the present buildings and erecting special class rooms and laboratories for special subjects. The rates and taxes will be augmented from year to year and from assessment to assessment. A pension fund will be required. The Appellants submit that to render the endowment most conducive to the advancement of education it is essential that the Governors should retain the control of the accumulated fund and of a wide margin of steadily increasing income for the benefit of St. Paul's School alone, and that to cut off the supplies by a rigid limitation at the present critical period in the growth of the School tends to cripple the education and not to advance it.

27. The Scheme as approved by the Committee of Council on Education, and published on August 24th, 1894, is set out in full in the Appendix. Some of the objections made to the Scheme of April 1894 have been partially met, but the main provisions of the new Scheme remain.

28. The sections principally objected to, all of which are in contravention of the compromise and agreement of 1876 and 1879, are as follows:—

income
(a) Section 15 limits the income to be paid over to the Governing Body for St. Paul's School to £9,000, exclusive of repairs. This amount, although larger than that mentioned in the Scheme of April 1894, is, the Appellants are satisfied, inadequate, and this limitation of the income, so far from rendering the Educational Endowment most conducive to the advancement of education of boys and girls as required by section 9 of the Act of 1869, cannot fail to be injurious to it. 10

9
(b) Section 16 directs that the residue of the income of the Foundation shall be accumulated with a view to a further Scheme. The Appellants submit that the Charity Commissioners have no power to publish an incomplete Scheme, and that to do so gives the Appellants no such opportunity as they are entitled to under the Acts of opposing the Scheme as a whole, or of comparing the advantages to be derived from any new mode of dealing with this surplus with the advantages of continuing to use it for the purposes of St. Paul's School. They further submit that, admitting the Commissioners to have the power to act and to be acting under section 44 of the Act of 1869, an incomplete Scheme cannot be said to be an amendment of an existing complete Scheme. 20

(c) Section 17 provides for the constitution of the Governing Body, which is to consist of 25 members, 22 to be appointed as before, and the remaining three by the London County Council. By this means the majority of four, which the Court of Assistants of the Mercers' Company previously had, is reduced to one, and by clause 22 the Master of the Mercers' Company is deprived of his position as Chairman. St. Paul's School is not a local school, and the endowment is not limited to any particular area. 30

see 1879
(d) Section 71, providing for the constitution of the Governing Body of the Girls' School, is still more subversive of the predominance of the Mercers' Company under the Schemes of 1876 and 1879. Of the Governors of the Girls' School seven are to be appointed by the Governors of St. Paul's School, two by the County Council, two by the School Board for London, and two by the "general body of the Girls' School," meaning probably co-optation by the Governing Body of the Girls' School. The three Universities were taken in the former Schemes to be suitable bodies to appoint the well literate and learned men contemplated by the founder. The County Council and the School Board are different. The Master of the Company under the new Scheme would cease to be Chairman *ex officio*. 40

(e) The second paragraph of section 40 contains the boarding school conscience clause from section 16 of the Act of 1869. The Appellants object to that clause because St. Paul's School is essentially a day school, and the Governing Body have no control over the houses where the

scholars live. The clause was not considered necessary in the Scheme of 1876 nor in that of 1879, and, having regard to the regulations made by the founder, the Appellants prefer the regulations as to matters of religion as they stand at present. They submit that under section 19 (2) of the Act of 1869, and the decision of the Commissioners in 1876, this clause ought not to be inserted in the Scheme "unless the Governing Body, constituted as it would have been if no scheme under this Act had been made, assents to such Scheme," and the Mercers' Company and their Court of Assistants do not assent to the new Scheme, nor do the present Governing Body.

(f) By section 61, the Charity Commissioners take power to appoint the Examiners for the Annual Examination. The Appellants submit that this is an interference with the functions of the Governing Body not contemplated by the Acts.

29. The difference which has arisen between the Appellants and the Charity Commissioners is not due to any defect in the management of the School. The Scheme of 1876 contemplated, besides a girls' school or schools of high class, a classical school and a modern school, but with power for the Governors to substitute for the classical and modern schools a single school with classical and modern departments therein. The scheme of 1879, while retaining the plan of a single school with two departments, provided for separate and to a certain extent independent head-masters of the two departments. When the numbers of the school established at West Kensington increased to over 600 the Charity Commissioners advised that the separate organisation of a modern department became imperative; but in substance the Governors have never failed to observe the provisions of the Scheme. The School has in effect four modern departments, viz.: First the science classes, second the Army classes, third the special mathematical class, and fourth the modern history class. The efficiency of the modern education so provided is shown by the table of successes in the Appendix. That the Charity Commissioners were satisfied with what was being done in this respect appears from their statement in a letter of the 1st August, 1893, that the primary object of the then proposed New Scheme was to legalise the existing state of things. And if the Scheme had been confined to this there would have been no opposition to it. This appears from the correspondence in the Appendix. In fact no Scheme at all was really necessary even for this limited purpose, because the sanction of the Charity Commissioners given under section 16 of the Charitable Trusts Act, 1853, would have justified what was being done, and such sanction might have been given by an Order of the Board without any Scheme at all, whether under the Endowed Schools Acts or under the Charitable Trusts Acts.

30. The Charity Commissioners have given no reasons for supposing that any change whatever in the Governing Body is calculated to promote the greater efficiency of the endowment, or to render it more conducive to the advancement of education. Their proposals on the subject have varied at different times since the first suggestion of altering the Scheme of 1879. In their letter of the 10th May, 1892, a proposal to add County Council

nominees was made, but on the Governors submitting that there was no reason for that change the proposal was dropped, and when in December 1892 the first draft of the new Scheme was forwarded to the Governors for consideration, it made no proposal of any change in the Governing Body or the chairmanship thereof, and the published draft of the 4th March, 1893, also provided for no such change.

In a letter of the 1st August, 1893, the Charity Commissioners announced that they proposed to deprive the three Wardens of the Company of their places on the Governing Body and to supply their places by three persons to be nominated by the London County Council, and to make the chairmanship elective. They had not previously given to the Company or to the Governors any opportunity of discussing the question whether the advantages of preserving the number of Governors were sufficient to justify the change proposed.

In accordance with the said letter of 1st August, 1893, they on the 10th November, 1893, forwarded to the Company a revised draft of the Scheme, by which it was proposed to change the Constitution of the Governing Body by substituting for the three Wardens of the Company three persons to be nominated by the London County Council, and to make the chairmanship elective. But the draft of April 1894 was again different. It proposed to retain the three Wardens of the Company on the Governing Body and to add three persons nominated in the first instance by the Charity Commissioners and afterwards by the London County Council, thereby increasing the number of the Governors to 25, notwithstanding that the preservation of the number of 22 was the sole reason given in the letter of the 1st August, 1893, for the course therein announced.

31. Further objections to the new Scheme are stated in the letters set out in the Appendix.

32. The Appellants, feeling aggrieved by the said Scheme, on the 24th day of October, 1894, presented their Humble Petition to the Queen's Most Excellent Majesty in Council, praying that Her Majesty would be pleased to withhold her approval of the said Scheme, on the grounds therein stated, and they submit that such approval ought to be withheld for the following amongst other

REASONS:

(a) That the Scheme is not within the scope of or made in conformity with the above-mentioned Acts.

(b) That the Charity Commissioners, acting under the Endowed Schools Acts, had no power to make and publish a new reorganising Scheme after the Foundation had been already dealt with by them under their ordinary jurisdiction by the Scheme of 1879.

See p. 113.

par. 17.

(c) That they had power only under their ordinary jurisdiction to amend the Scheme of 1879, under the special power reserved to them under the clauses of those Schemes, upon the application either of the Appellants or of the Mercers' Company.

(d) That section 44 of the Act of 1869 gave the Commissioners no power to deal with the Scheme of 1879; but if it did, it was only to amend and not to repeal or abrogate it and to prepare and publish a new Scheme.

(e) That clauses 15 and 16 of the new Scheme are not within the scope of the Acts.

10 (f) That the Scheme deals only with a portion of the income of the Foundation, and reserves the residue to be accumulated, with a view to a further Scheme, in a manner beyond the power of the Charity Commissioners.

(g) That there was no power by way of amendment after publication by the Committee of Council on Education and the expiration of the period for receiving objections and suggestions, to introduce into the Scheme published, or to direct or approve of the introduction of a new Scheme for a Girls' School, without the preliminary procedure provided by the said Acts having been followed, and full opportunity given for
20 objections or suggestions.

(h) That the sum of £9,000, the maximum sum, exclusive of the cost of ordinary repairs and of any permanent structural improvements, allowed by clause 15 of the Scheme to be paid out of the income of the Foundation to your Petitioners for the Purposes of the School, is inadequate, and the position and educational efficiency of the School will be seriously prejudiced by such limitation.

(i) That the Scheme does not render the educational endowment most conducive to the advancement of the education of boys and girls as required by section 9 of the Act of 1869.

30 (j) That the 2nd paragraph of clause 40 is *ultra vires*, the endowment of St. Paul's School being within sub-section 2 of section 19 of the Act of 1869, and the Commissioners having so decided in 1876.

(k) That there is nothing in the Endowed Schools Acts which authorises the framing of a Scheme in contravention of the compromise entered into in 1876 between the Commissioners and the Committee of Council on Education on the one hand and the Mercers' Company on the other hand, unless with the consent of the Mercers' Company, or in contravention of the Scheme of 1879 made on the application of the Governors, and with the assent of the Mercers' Company, unless with the
40 consent of both those bodies.

EDWARD CLARKE

WILLIAM LATHAM.

R. M. BRAY.

IN THE MATTER OF THE FOUNDATION
OF ST. PAUL'S SCHOOL;

AND

IN THE MATTER OF A NEW SCHEME,
&c.;

AND

IN THE MATTER OF THE ENDOWED
SCHOOLS ACTS.

CASE OF THE APPELLANTS,
THE GOVERNING BODY OF ST. PAUL'S
SCHOOL.

FRESHFIELDS & WILLIAMS.



In the Privy Council.

IN THE MATTER OF THE FOUNDATION CALLED OR KNOWN AS ST. PAUL'S SCHOOL, LONDON, FOUNDED BY DEAN COLET, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th July, 1879, and made under their ordinary jurisdiction ;

AND

IN THE MATTER OF A NEW SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION approved by the Committee of Council on Education on the 24th day of August, 1894, and published on the 27th day of the same month ;

AND

IN THE MATTER OF THE ENDOWED SCHOOLS ACTS 1869, 1873 AND 1874.

CASE OF THE APPELLANTS

The WARDENS AND COMMONALTY OF THE MYSTERY OF MERCERS OF THE CITY OF LONDON (commonly called the "MERCERS' COMPANY"), being a Governing Body of the above-named Foundation, against the above-mentioned SCHEME.

1. This case comes before Her Majesty in Council upon a petition presented by the Wardens and Commonalty of the Mystery of Mercers of the City of London (commonly known and hereinafter referred to as the Mercers' Company) under section 39 of the Endowed Schools Act 1869, praying Her Majesty to withhold her approval from a scheme approved and published by the Committee of Council on Education, and relating to a foundation called or known as St. Paul's School, London, founded by Dean Colet.

App. p. 5.

2. The School was founded about the year 1512, by Dr. John Colet, Dean of St. Paul's, who, having built a school house at the east end of St. Paul's Church Yard "for 153 to be taught free in the same," and having endowed the School with lands, and made the Mercers' Company Governors, and having appointed William Lily (the earliest teacher of Greek in London) to be Master, drew up ordinances for the management and regulation of the School, and subsequently by his will dated the 10th day of June, 1514, devised certain additional estates to the Mercers' Company to enable them to carry on the School so founded by him.

Rep. of Lord Clarendon's Commission, p. 55.

Do. p. 187.

Do. (p. 586 App. to Rep.).

3. A copy of the ordinances is to be found in the Appendix. They provided that "In that school there shall be first a High Master. This High Master in doctrine, learning, and teaching shall direct all the school. This

App. p. 13.

App. p. 13.

“ High Master shall be chosen by the Wardens and Assistants of the Mercery, “ a man whole in body, honest and virtuous, and learned in good and clean “ Latin literature, and also in Greek if such may be gotten, a wedded man, a “ single man, or a priest that hath no benefice with cure, nor service that may “ let his due business in the school. The Mercers shall assemble together in “ the school house, with such advice and counsel of well literate and learned “ men as they can get, they shall choose this Master and give unto him his “ charge.” They also provided that the Court of Assistants of the Mercers’ Company “ shall have all the cure and charge, rule and governance ” of the School, and that they should have power to amend and construe the ordinances 10 made by him. They provided for the appointment by the Mercers’ Company of a Chaplain, and prescribed his duties, and in particular as follows, “ He shall teach the children the Cathechyzon, and instruction of the Articles of “ the Faith and the Ten Commandments in English.” There were to be taught in the School children of all nations and countries indifferently to the number of 153, and the Master was to admit them from time to time, but “ first see that they can the Cathechyzon,” and also “ that he can read and “ write competently, else let him not be admitted in nowise.” These ordinances also contained these words, “ For my intent is by this School “ specially to increase knowledge and worshipping of God and our Lord Christ 20 “ Jesu, and good Christian life and manners in the children. And for that “ intent I will the children learn first above all the Cathechyzon in English “ and the Institute of a Christian man.” And the founder by these ordinances left it wholly to the direction and charity of the Wardens and Assistants of the Mercers’ Company, “ with such other counsel as they shall call unto them, good “ lettered and learned men, they to add and diminish unto this book, and to “ supply in it every default, and also to declare in it every obscurity and “ darkness as time and place and just occasion shall require.”

4. The effect of the foregoing regulations, made by the founder in his lifetime, was that the scholars educated by this endowment were required to 30 learn or to be instructed according to the doctrines of the Church of England. This has been recognised by the several Royal Commissioners that have inquired into the affairs of the Foundation, and made Schemes for its regulation as hereinafter stated.

5. These ordinances were amended under the power reserved by the Court of Assistants of the Mercers’ Company, with the advice of the Solicitor-General and another counsel, in the year 1602, but not so as to affect the above-cited requirements as to religious instruction. New ordinances and regulations have from time to time been made in the mode and system of education (not affecting the said requirements), and the general management of the School 40 and property.

6. From the death of Dr. Colet until the coming into force of the Scheme of 1876 the School was carried on under the exclusive management of the Court of Assistants, and the revenues of the estates of Dr. Colet, which rapidly increased, were applied entirely for the purposes of the School, which was most successfully developed and won for itself the highest reputation.

S. Act, 1869,
c. 19.

Rep. of Lord
Arendon's
Commission, p. 189
and 584 App.
Rep.).

o. p. 189.

o. p. 196.

o. p. 188.

7. As the property of the Foundation increased in value the Mercers' Company raised the number of masters from two to seven, and augmented their stipends from time to time. Surplus income was invested and accumulated to the credit of the School. At St. Paul's there was no distinction between foundationers and non-foundationers. Every boy was a scholar on the Foundation from the moment of his admission, and as such received, in accordance with the intentions of the founder, a gratuitous education. The number was restricted to 153, with the respect due to the same intentions. The scholars were nominated by each member of the Court of Assistants in rotation, and admitted by the High Master. There was an entrance examination, but it was not severe. The School was mainly classical, and promotion depended on proficiency in classics alone. There were leaving exhibitions, two of which, tenable at Trinity College, Cambridge, were derived from a separate endowment founded by Viscount Campden, which is not the subject of this Appeal.

Rep. of Lord
Clarendon's
Commission, p. 189.

Do. p. 188.
Do. p. 190.

Do. p. 191.

Do. p. 192.

8. In 1854 began a series of Acts for the reform of the higher education in England. In that year was passed the Act 17 & 18 Vic. c. 81, "to make further provision for the good government and extension of the University of Oxford, of the colleges therein, and of the College of St. Mary, Winchester." This was followed in 1856 by the Act 19 & 20 Vic. c. 88, "to make further provision for the good government and extension of the University of Cambridge, of the colleges therein, and of the College of King Henry the Sixth at Eton." By each of these Acts Commissioners were appointed to hold office for a maximum period of less than three years. The University and the Colleges respectively were empowered to make and submit to the Commissioners new statutes which the Commissioners might approve, or they might themselves frame new statutes. Such new statutes were to be laid before the Queen in Council, and a right of appeal was given. Finally, the statutes were to be laid before both Houses of Parliament, and either House might address Her Majesty against them. On Her Majesty's approval the statutes were to become law, but on disapproval the Commissioners might frame new statutes in like manner. Every statute so made was to be subject to repeal and alteration from time to time by the university or college concerned, with the approval of Her Majesty in Council, without any reference to the Commissioners. No power was reserved to the Commissioners of repealing or altering any statute once made under the Act. A similar Act was passed in 1861 (24 & 25 Vic. c. 82) for the University of Durham.

17 & 18 Vic. c. 81
sec. 1.

19 & 20 Vic. c. 88
sec. 1.

17 & 18 Vic. c. 81
secs. 28-30.

19 & 20 Vic. c. 88
secs. 25-31.

17 & 18 Vic. c. 81
secs. 35, 36.

19 & 20 Vic. c. 88
secs. 39, 40.

17 & 18 Vic. c. 81
sec. 39.

19 & 20 Vic. c. 88
sec. 43.

9. In 1861 a Royal Commission was issued to inquire into the nature and application of the endowments, funds, and revenues of Eton College, Winchester College, Westminster School, the Charterhouse, St. Paul's School, the Merchant Taylors' School, Harrow School, Rugby School, and Shrewsbury School, and also into the administration and management of these colleges and schools and the instruction given in them. Of this Commission the Earl of Clarendon was Chairman. The colleges and schools were selected as being the nine great public schools of England. The Commission reported in 1864, recommending generally reform of the Governing Bodies, and revision under competent authority of the statutes and regulations, and that subsequently

Rep. of Lord
Clarendon's
Commission, p. 52.

Rep. of Lord
Clarendon's
Commission, p. 200.

Do. p. 201.

the Governing Body of each college and school should be empowered, with the consent of the Queen in Council or the Visitor, to amend its statutes from time to time. In reference to St. Paul's School in particular the Commissioners recommended that, while the management of the property might properly be left to the Mercers' Company, some modification should be made in the Governing Body of the School, and that effect should be given to the ordinance of the founder that on important occasions recourse should be had to the advice of "well literate and learned men." They suggested therefore such a reconstitution of the Governing Body as should include on the one hand the Master, Wardens and Surveyors (who were members and officers of the Company referred to by the founder), with perhaps one or two elective members of the Company, and on the other an equal number of persons extraneous to the Company, to be selected by the Crown in consideration of personal eminence or special fitness to superintend a place of liberal education. They also recommended enlargement of the School, and the substitution of limited competition for the system of nomination of the scholars. 10

Rep. of Lord
Taunton's
Commission, p. 635.

10. In 1861 another Royal Commission was issued to inquire into the education given in schools not comprised in the Commissions of 1858 (relating to elementary education) and 1861, and to consider and report what measures, if any, were required for the improvement of such education, having especial regard to all endowments applicable or which could rightly be made applicable thereto. Of this Commission Lord Taunton was Chairman. It reported in 1867. The Commissioners recommended the reform of the governing bodies and revision of the statutes and regulations by means of schemes to be approved by the Charity Commissioners on a procedure analogous to that of the Oxford and Cambridge Reform Acts above referred to. 20

31 and 32 Vic. c. 118.

11. In the following year the Public Schools Act, 1868, was passed. It was founded, as stated in the preamble, on the Report of Lord Clarendon's Commission, but did not extend to St. Paul's School or the Merchant Taylors School, because at that time the Companies administering those schools claimed them as corporate and not charitable institutions. The claim on the part of the Mercers' Company to St. Paul's School was overruled by a decision of the Court of Chancery shortly afterwards. The other seven of the nine great schools were dealt with by this Act. The analogy of the Oxford and Cambridge Reform Acts was followed. An executive Commission was appointed to hold office for a maximum period of less than four years. The governing bodies were empowered to make and submit to the Commissioners new statutes and regulations which the Commissioners might approve, or the Commissioners might themselves frame new statutes and regulations subject to the approval of Her Majesty in Council, which might be granted in the absence of disapproval by either House of Parliament. After the expiration of the powers of the Commissioners statutes might be repealed or altered by the governing body in the same manner as they might be made, except as to approval by the Commissioners; and regulations relating to internal government might be made, altered, or repealed by the governing body at their discretion. No power was reserved to the Commissioners of repealing or altering any statute or regulation once made under the Act. 30 40

22 "Law Times,"
N.S. p. 222.

Secs. 15, 16.

Secs. 5, 6, 7.

Sec. 19.

Sec. 9, 10.

12. The principle embodied in each of the said Acts relating to Oxford, Cambridge, Durham, Eton, Winchester, Westminster, Charterhouse, Harrow, Rugby, and Shrewsbury was that, with due regard to the intentions of founders, the several foundations should undergo one (and only one) thorough reorganisation, with the sanction of Commissioners specially appointed for the purpose, and that by means of new statutes they should be started on a fresh career in the service of the higher education of the country. Any subsequent amendment of such new statutes was entrusted, not to the Commissioners, whose office was transient, but to the governing bodies of the respective
 10 foundations, with the approval in some cases of a Committee of Her Majesty's Council. Under these Acts new statutes were made, and each Commission expired on the completion of its work of reorganisation.

13. The Endowed Schools Act, 1869, the construction of which is in
 question on this Appeal, was then passed. It was founded, as stated in the preamble, on the Report of Lord Taunton's Commission. It is not disputed that the endowments of St. Paul's School fell within the scope of the Act, although it was outside the scope of that Commission. There were about
 3,000 schools or foundations for schools altogether within the Act. Following
 the precedents of the universities, colleges, and public schools, Commissioners
 20 were appointed for a maximum period of less than four years. Under the heading "Reorganisation of Endowed Schools," it was enacted by sections 9 and 10 that the Commissioners should have power in such manner as might render any educational endowment most conducive to the advancement of the education of boys and girls, to prepare schemes for making new trusts for any such educational endowment and for altering the governing body thereof. There were a series of sections (15-22) directing certain provisions to be inserted in every scheme appropriate to the first reorganising scheme for every foundation. In section 28 there was a provision for the alteration of any
 reorganising scheme from time to time by the Charity Commissioners in the
 30 exercise of their ordinary jurisdiction, meaning their jurisdiction under the Charitable Trusts Act, 1853, and amending Acts. Under another heading, "Procedure for making Schemes," the proceedings of the Commissioners and the Committee of Council on Education respectively were prescribed. The initiative in proposing schemes was not, as in the Universities, Colleges, and Public Schools Acts, given to all governing bodies (though all had the right of submitting alternative schemes), but it was given (section 32) to the governing bodies of all endowments the income of which exceeded £1,000 a year. Under this section the Governing Body of St. Paul's School were
 40 allowed six months after the commencement of the Act to prepare and submit to the Commissioners a scheme of their own, which the Commissioners were bound to consider before themselves preparing a scheme, and which, in the event of their rejecting it, they were bound to send up in competition with their own scheme to the Committee of Council on Education. Under the same heading of Procedure there were provisions for appeal to the Queen in Council in certain cases and for laying schemes before Parliament, and expressly empowering the Commissioners in the case of non-approval by Her Majesty of any scheme to prepare a new scheme in the same matter. And there was a section (44)

for the amendment of schemes approved under the Act by schemes framed according to the same provisions as those which applied to original schemes, but this section was not made to apply to schemes to be made by the Charity Commissioners in the exercise of their ordinary jurisdiction. Notwithstanding section 44, the whole tenor of the Act, as the Appellants submit, is opposed to the interpretation that the Commissioners had power conferred on them of making reorganising schemes for the same Foundation from time to time.

37 Vict. c. 87. 14. By the Endowed Schools Act, 1873, several amendments of the law were introduced, and in particular by section 10 it was provided that the power of alteration to be exercised by the Charity Commissioners in the exercise 10 of their ordinary jurisdiction (which had been conferred as a common form in all schemes) should only be exercised upon the same application and after the same procedure and notices, and subject to the same rights of appeal as in the case of other schemes under the Charitable Trusts Acts. By the Endowed Schools Act, 1874, the powers of the original Commissioners under the Acts of 1869 and 1873 were transferred to the Charity Commissioners. Those powers, though never made permanent, have been kept in existence by successive Acts down to the present time, the last of which was the Expiring Laws Continuance Act, 1894, which extended the time for their exercise until the 31st December, 1896. 20

2 "Law Times," 18. p. 222. 15. On the 11th February, 1870, the judgment was delivered by which it was decided that the endowment of St. Paul's School was the subject of a charitable trust. The Mercers' Company did not avail themselves of their right to prepare and submit a scheme of their own under the Endowed Schools Act 1869.

16. In the month of October 1873 the Endowed Schools Commissioners requested to be informed if the Company had any suggestions for a new scheme to lay before the Commissioners.

17. In consequence of this request, on the 4th November, 1873, the Master of the Company, duly authorised by the Court of Assistants, had an 30 interview with the Chief Commissioner and the Secretary of the Commission, at which he consented to negotiate with the Commissioners as to the reorganisation of the foundation on the basis that the ordinances of the founder should be respected, that the Company should retain the exclusive management of the property, and should have a decided preponderance on the new Governing Body of the school, and that the 153 foundation scholars should not be appointed merely on the result of competitive examination. On the 7th November, 1873, the Court of Assistants having received the Master's report of the said interview, caused a letter to be sent to the Commissioners stating that they were desirous of co-operating with them in settling a scheme 40 having regard to the ordinances of the founder, and that they would not submit a scheme of their own, but would consider promptly heads or suggestions which the Commissioners might think proper to send to them.

18. On the 21st January, 1874, heads of a proposed scheme were sent by the Commissioners to the Company. They suggested removal of the existing school, and the establishment of two day schools of the first grade for boys, and one or more schools of the same grade for girls, on different sites within the



metropolis; management of the property by the Mercers' Company, subject to a yearly audit; the establishment of a new Governing Body for the boys' schools, to consist of the Master of the Company, 10 Governors appointed by the Company, and nine by some independent persons or bodies, together with some special provision for associating women in the government of the girls' schools; payment of fees by all boys and girls other than the 153 foundation scholars; and the admission of boarders in the houses of masters or teachers.

19. The Company in reply suggested that the girls' schools should be postponed until after the establishment of the boys' schools, and in no case should receive more than one-quarter of the income; that the Governing Body of the schools should consist of 20 persons, viz., 13 appointed by the Company and seven independently of the Company, the Master being Chairman *ex officio*; and that the foundation scholars should be appointed by merit from among boys who had been not less than one year in the school. App. p. 69.

20. At an interview between the Master and other officers of the Company and the Commissioners, which took place on the 9th February, 1874, the constitution of the Governing Body was discussed and considered at length, and finally the Commissioners, after consulting together, announced that they would concede to the Company 12 Governors out of 21, but to this proposal the Master on behalf of the Company refused assent. App. p. 57.

21. A further interview took place on the 23rd February, 1874, at which the Master on behalf of the Company made many concessions to meet the wishes of the Commissioners, including the surrender by the Company of the nomination of foundation scholars, and expressed a hope that under those circumstances the Commissioners would give way on the question of the constitution of the Governing Body. App. p. 60.

22. On the 2nd April, 1874, a draft scheme was sent by the Commissioners to the Company, in which it was proposed that the Governing Body should consist of 21 persons, viz., the Master of the Company, 11 Governors to be appointed by the Company, and three by each of the Universities of Oxford, Cambridge, and London. The Company, having already stated their opinion on this matter, reserved further objections to a later stage of the proceedings, and the Commissioners in due course framed their scheme on this footing and submitted it to the Committee of Council on Education. On the 31st December, 1874, the powers and duties of the Endowed Schools Commissioners were by the Act of 1874 transferred to and imposed on the Charity Commissioners. On the 5th January, 1875, the Committee of Council caused the scheme to be published in accordance with section 13 of the Act of 1874. App. p. 61.

23. By letters dated the 3rd February and the 5th March, 1875, the Company stated to the Committee of Council their objections to the scheme on the following points: (1) The constitution of the Governing Body of the boys' schools; (2) the appointment of women on the Governing Body of the girls' schools; (3) the mode of appointing the 153 foundation scholars; (4) the powers of the High Master; (5) the expediency of requiring instruction in accordance with the doctrines of the Church of England; (6) the saving of all interests vested before the date of the scheme. App. pp. 82, 83.

24. In reply to these letters the Committee of Council on the 28th April, 1875, instructed their secretary to write to the Company, stating that they had considered the scheme and the objections, and proceeding as follows :—

“I am to state that my Lords would be prepared to modify the scheme “in certain particulars if such modification would have the effect of satisfying “the various parties interested in this great endowment.”

The modifications offered were (1) the schools to be within the metropolitan area; (2) the Governing Body to have the option of establishing one school in two departments, instead of two schools, for boys, and the jurisdiction of the High Master over the master of the Modern Department 10 to be left to the discretion of the Governors; (3) the Governing Body to consist of twenty-two Governors, viz., the Master and three Wardens of the Mercers' Company, nine Governors appointed by the Court of the Company, and nine by the three Universities; (4) religious instruction to be in accordance with the principles of the Church of England; (5) provision for 153 scholars on the foundation of the boys' schools or school, and 39 on the foundation of the girls' schools or school; (6) saving of vested interests up to the date of the scheme; (7) the boys' school to be called “St. Paul's “School,” and the girls' school “Dean Colet's School.” The letter concluded with the following sentence: “I am to add that, if these modifications do 20 “not prove acceptable to your Company, my Lords must reserve to “themselves power to consider their position, and to determine whether the “scheme should not be approved as it stands.”

25. The Company accepted the terms offered by this letter, and withdrew their opposition to the entire scheme of reorganisation, which was thenceforth proceeded with as a compromise agreed upon, and was approved by Her Majesty in Council on the 24th March, 1876.

26. In the course of the negotiations, extending over many months, which resulted in this compromise, it was assumed equally by the Company, the Commissioners, and the Committee of Council that the contemplated scheme 30 was to be a reorganisation once for all.

27. By the Scheme of 1876 the Mercers' Company surrendered the exclusive government of the School and the nomination of the scholars. The management of the property was retained by them. The School was to be removed to another site and developed into two schools, classical and modern, or, at the option of the Governors, a school in two departments for 1,000 boys, and a high school for 400 girls, was to be added. The 153 scholarships were thrown open to competition in the Boys' School, and 39 were to be founded for the Girls' School. The government of the Boys' School was committed to 22 Governors, viz., the Master and three Wardens of the Company, nine 40 Governors to be appointed by the Court of Assistants of the Company, and three to be appointed by each of the Universities of Oxford, Cambridge, and London. The nine University Governors were in substitution for the “well literate and “learned men” referred to by the founder and by Lord Ciarendon's Commission, but the representatives of the Mercers' Company were to be in a majority on the Governing Body in the proportion of 13 to 9, and the Master was to be Chairman *ex officio*. The Scheme provided for religious education according

to the principles of the Church of England, with a conscience clause for day scholars only, the Commissioners having decided that in the case of this educational endowment they were not bound to insert in the Scheme the boarding-house conscience clause from section 16 of the Act of 1869. Provision was made for the admission of boarders in masters' houses. Fees were made payable in the schools by all boys or girls other than scholars on the Foundation. For the management of the Girls' School when formed four women were to be added to the Governing Body by co-optation. The education in each school was to be of the highest grade. The Scheme

10 contained the following clause, founded on section 28 of the Act: "87. The Charity App. p. 100.
 " Commissioners may, upon the application of the Company or of the Governors,
 " from time to time in the exercise of their ordinary jurisdiction, frame schemes
 " for the alteration of any provisions of this Scheme, provided that such
 " schemes be not inconsistent with the first clause of this Scheme, or with
 " anything contained in the Endowed Schools Acts 1869 and 1873." The first
 clause of the Scheme stated the object of the Foundation to be to supply liberal
 education for boys and girls by means of schools in or near London.

28. The first Governors having been appointed under the Scheme, and
 having entered into office, determined, in pursuance of the option given them

20 by the Scheme, to establish a single school for about 1,000 boys, with classical App. p. 100.
 and modern departments, instead of two schools, and they prepared and
 submitted to the Charity Commissioners alterations in the Scheme of 1876
 rendered, in their opinion, necessary in consequence of such determination, and
 on the 10th May, 1878, applied for an Order of the Commissioners under their App. p. 105.
 ordinary jurisdiction to give effect to such alterations. On such application
 the Commissioners, in exercise of the power conferred on them by clause 87 of
 the Scheme of 1876, as explained by the Endowed Schools Act, 1873,
 section 10, and of their ordinary jurisdiction under the Charitable Trusts Acts,
 by Order under their seal dated the 4th July, 1879, with the assent of all App. p. 108.
 30 parties, established a new Scheme for the regulation of the Foundation. The
 first clause of this Scheme was identical with the first clause of the Scheme of
 1876. The second clause was as follows:—

" 2. From the date of this Scheme, all the particulars which, by the
 " Endowed Schools Acts, 1869, 1873, and 1874, are capable of being hereby
 " repealed and abrogated shall, so far as relates to the management of the
 " Foundation, but not to the vesting of the property thereof in the Mercers'
 " Company (hereinafter called the Company) be repealed and abrogated."

This was a repetition of clause 2 of the Scheme of 1876, but, operating from
 a later date, it had the effect of abrogating the entire Scheme of 1876, so that

40 the Scheme of 1879 is the only Scheme now in force, and it is a Scheme made App. p. 109.
 under the Charitable Trusts Acts, and not a Scheme approved under the
 Endowed Schools Acts. The result is that to this Scheme section 14 of the
 Endowed Schools Act, 1869, does not apply.

29. The principal provisions of the Scheme of 1879 were:—

That all the estates and property of the Foundation should continue to

be vested in the Mercers' Company, and except such part as was required to

be occupied for the purposes of the Schools should continue to be managed

by the Company or their Court of Assistants, and that the Company, after

paying the expenses of management and certain other expenses, should pay the net income to the Governing Body of the Boys' Schools.

cl. 14. App. p. 111.

That the Governing Body of the Boys' School should consist of 22 Governors, of whom one should be the Master and three the Wardens of the Company for the time being, nine should be appointed by the Court of Assistants of the Company, and the remaining nine should be appointed as follows :—

Three by the Hebdomadal Council of the University of Oxford ;

Three by the Council of the Senate of the University of Cambridge ;
and

Three by the Senate of the University of London.

10

That every Governor other than the Master and Wardens of the Company should be appointed to hold office for five years and then retire.

cl. 15. App. p. 111.

That after the completion of the buildings for a Girls' School, four women should be added to the Governing Body by co-optation for the management of the Girls' Schools.

cl. 35, 36. App. p. 114.

That as soon as conveniently might be sites should be acquired within the jurisdiction of the Metropolitan Board of Works, and that the School should be removed from the existing buildings in St. Paul's Churchyard to new buildings to be erected on the sites acquired, it being intended that the Foundation should ultimately comprise :—

20

(1) A school to be called St. Paul's School, divided into two departments, one of which shall be a classical department for about 500 boys, and the other a modern department for about 500 boys.

(2) A school or schools to be called Dean Colet's School or Schools, for not less than 400 girls in all.

Such schools and departments respectively to be established in such order of priority as the Governors should deem to be most expedient.

cl. 86. App. p. 124.

That any surplus received by the Governors, and unapplied, should be invested for the benefit of the school or schools in respect of which such unapplied surplus should have been stated.

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cl. 40, 41, 42. App. p. 115.

The Scheme provided for religious education according to the principles of the Church of England, with a conscience clause for day scholars only.

Section 89 of the Scheme of 1879 repeated section 87 of the Scheme of 1876.

30. In pursuance of this Scheme the Governors in the year 1878 purchased about 16 acres of ground at West Kensington and built thereon the present buildings of St. Paul's School, and in the year 1884 removed the School to those buildings. Under its present management the School has been still further developed, and has increased its reputation and numbers, and it now occupies a position second to none amongst our great public schools. The yearly income of the Foundation (exclusive of the separate Campden endowment for Exhibitions), now exceeds £17,000, apart from tuition fees, which in recent years have risen to nearly £12,000, but the necessary expenditure is great. There is now a surplus of at least £5,000 a year which may be made available for developing the Schools of the Foundation under the existing Scheme, but the Governors have to bear in mind that any material alteration of the present conditions might result in a material reduction of the income from fees. The part of the Scheme relating to the establishment of a

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Girls' School has not yet been carried out, but the Governors have agreed to purchase a site at Brook Green for a Girls' School, but the conveyances have not yet been completed. In the interval between 1879 and the present time a great number of girls' schools have been established in and near London, partly under the Endowed Schools Acts, and partly by the Girls' Public Day School Company, so that the need of action by the Governing Body of St. Paul's in this matter has not been urgent.

31. On the 25th of November, 1890, the Charity Commissioners forwarded to the Governors a copy of a communication which the Commissioners had received, complaining that the provisions of the Scheme relating to a modern department had not been carried out. On receipt of this the Governors referred the matter to two of their body, viz., the Earl of Selborne and Lord Hannen (then Sir James Hannen), for report, and they reported to the Governors on the 4th of March, 1891. The Governors then referred this report to one of their committees called the School Committee, who reported on the 4th of June, 1891. Copies of these reports were sent to the Charity Commissioners accompanied by a letter dated the 25th of June, 1891. This letter, with the reports, is set out in the Appendix.

32. In December 1892 the Commissioners sent to the Governors for their consideration a draft of a proposed new Scheme under the Endowed Schools Acts. The new features in this proposal were to add a Modern School for 500 boys; to restrict the yearly expenditure on St. Paul's School to £8,000, and on each of the other schools to £2,500, and to reserve the application of surplus to some future Scheme; to alter the Governing Bodies of the schools other than St. Paul's School; to alter the provisions as to scholarships; and to sanction the continuance of St. Paul's School as a classical school, with modern departments, under the sole supervision and control of the High Master. Further communications took place between the Commissioners and the Governors, from which it appeared that there was considerable divergency of views between the Commissioners and the Governors. Eventually, in March 1893, the Commissioners prepared and published a draft of the new Scheme in a form not materially differing from the draft of December 1892, except by the introduction from section 16 of the Act of 1869 of the clause known as the Boarding School Conscience Clause. They purported to do this under the powers conferred upon them by the Endowed Schools Acts, 1869, 1873, and 1874. They did not act or claim to act under clause 89 of the Scheme of 1879, or in pursuance of any application of the Company or the Governors, or in any way under their ordinary jurisdiction. This Scheme was not assented to by the Governors, but in April 1894 the Commissioners, having struck out from the draft all the provisions for establishing and maintaining the Modern School for boys and the Girls' School, and having made in it certain other material alterations, submitted it to the Committee of Council on Education for their approval.

33. The Scheme so submitted limited the income of the School to the yearly sum of £8,000, exclusive of the cost of permanent structural improvements in the School buildings, which was to be borne by the general funds of the Foundation, and provided that the residue of the income of the Foundation should be invested in the name of the official trustees of charitable funds to the credit of the Foundation, and should be accumulated with a view to a further

Scheme. It altered the Governing Body by adding three additional Governors, to be appointed by the London County Council. It contained no provisions whatever for the establishment of a Girls' School. There were other alterations which will be noticed hereafter.

34. This Scheme was strenuously opposed by the Governing Body of the School, the Mercers' Company, and by the former scholars of the School, as unfair, wholly uncalled for, and fatal to the maintenance of the School in its then state of high efficiency and to its future development. In a letter of the 1st June 1894 from the Mercers' Company to the Committee of Council on Education, after reference to a statement by the Commissioners, that the new "provisions 10
"no longer appear to be matter of difference," the following counter-statement is made by the Company:—"As a matter of fact, the three main changes, viz. :
"(a) the limitation of the income of the school; (b) the alteration in the
"constitution of the Governing Body; and (c) the value of the Scholarships
"and the conditions of their tenure, are now, and always have been, persistently
"objected to by the Company, and, it is believed, also by the Governing Body."
The same letter deals with the scheme in detail. In a letter of the 30th May 1894 from the Governing Body to the Committee of Council similar objections are expressed. The Governing Body also objected to the excision of that part 20
of the Scheme of 1879 which provided for a Girls' School. Copies of the letters from these bodies, containing their objections and suggestions, are set out in the Appendix.

35. The Scheme, after being duly published under the Act of 1873, section 13, and considered by the Committee of Council on Education, was on the 13th August, 1894, remitted by them to the Charity Commissioners with a letter containing a declaration which was not published, and of which the Appellants were ignorant until very recently. The Charity Commissioners thereupon made some amendments in part of the Scheme, altering the annual sum to be allowed for St. Paul's School to £9,000, and included in it a Scheme for a Girls' School, to be called Dean Colet's School, 30
with a new Governing Body, and in that form submitted the Scheme to the Committee of Council on Education, who finally signified their approval of it on the 24th August, 1894. On the 9th August, 1894 (before such final approval), the Governors addressed a letter on this subject to the Vice-President of the Committee of Council, founded on information as to the final form of the new Scheme given them by him at an interview on the 18th July, 1894. On the 18th August, 1894, they received a short answer stating that the matter was no longer open to consideration. These letters are set out in the Appendix.

36. The Appellants contend that the Scheme so approved by the Committee 40
of Council is one which has not been made in conformity with the Endowed Schools Acts. By the course which was adopted of striking out of the Commissioners' published draft all the provisions relating to the Girls' School, before the Scheme was submitted in the first instance to the Committee of Council on Education, and then, after the publication by the Committee of Council had taken place and the period for receiving objections and suggestions had expired, inserting provisions for a Girls' School, as if they were no more than an amendment of the Scheme, the Appellants have been deprived of their statutory

App. p. 242.

App. p. 248.

App. p. 252.

App. p. 242.

App. pp. 263, 264.

App. p. 280.

App. p. 260.

App. p. 279.

right to send in to the Committee of Council objections or suggestions respecting the Scheme. The contention of the Appellants is that under section 13 of the Act of 1873, coupled with section 40 of the Act of 1869, a Scheme remitted by the Committee of Council, although it may be "amended" in the ordinary sense of that word, cannot be so reconstructed so as to make it substantially "another scheme" without repeating the whole procedure, "as if no Scheme "had been previously prepared." The Appellants would have sent in objections to the new Scheme under the Acts if they had had the opportunity. In particular they would have made objections and suggestions concerning the
 10 detailed provisions made applicable to the Girls' School, the establishment of which they themselves have always had in contemplation under the existing Scheme.

37. The net income of the Foundation (apart from the Campden Exhibitions endowment) slightly exceeds £17,000. By clause 15 the income applicable to St. Paul's School is to be limited to £9,000 per annum, exclusive of the cost of ordinary repairs and permanent structural improvements in the buildings of the School. An arbitrary limit of this kind cannot be justified as promoting the greater efficiency of the endowment, or rendering it more conducive to the education of boys and girls. The finance will work
 20 out as follows :—

INCOME 1893 :

Tuition fees	£11,881	App. p. 243.
Proposed endowment	9,000	

£20,881

EXPENDITURE 1893 £23,046

Deduct—

Repairs £1,673

Campden's exhibitions 930

2,603

20,443

Balance £438

Since the accounts for 1893 were made up this small balance of £438 has been reduced to about £250, by an increase in exhibitions as stated in Mr. Watney's letter of the 9th August, 1894, set forth in the Appendix.

App. p. 260.

St. Paul's School on its present footing is a young and growing Foundation. The demands of higher education are continually increasing in magnitude and developing in new directions. The Governors already foresee the necessity
 40 of enlarging the present buildings and erecting special class rooms and laboratories for special subjects. The rates and taxes will be augmented from year to year and from assessment to assessment. A pension fund will be required. The Appellants submit that to render the endowment most conducive to the advancement of education it is essential that the Governors should retain the control of the accumulated fund and of a wide margin of steadily increasing income for the benefit of St. Paul's School alone, and that to cut off the supplies by a rigid limitation at the present critical period in the growth of the School tends to cripple the education and not to advance it.

38. The Scheme as approved by the Committee of Council on Education, and published on August 24th, 1894, is set out in full in the Appendix. Some of the objections made to the Scheme of April 1894 have been partially met, but the main provisions of the new Scheme remain.

39. The sections principally objected to, all of which are in contravention of the compromise and agreement of 1876 and 1879, are as follows :—

(a) Section 15 limits the income to be paid over to the Governing Body for St. Paul's School to £9,000, exclusive of repairs. This amount, although larger than that mentioned in the Scheme of April 1894, is, the Appellants are satisfied, inadequate, and this limitation of the income, so far from rendering the Educational Endowment most conducive to the advancement of education of boys and girls as required by section 9 of the Act of 1869, cannot fail to be injurious to it. 10

(b) Section 16 directs that the residue of the income of the Foundation shall be accumulated with a view to a further Scheme. The Appellants submit that the Charity Commissioners have no power to publish an incomplete Scheme, and that to do so gives the Appellants no such opportunity as they are entitled to under the Acts of opposing the Scheme as a whole, or of comparing the advantages to be derived from any new mode of dealing with this surplus with the advantages of continuing to use it for the purposes of St. Paul's School. They further submit that, admitting the Commissioners to have the power to act and to be acting under section 44 of the Act of 1869, an incomplete Scheme cannot be said to be an amendment of an existing complete Scheme. 20

(c) Section 17 provides for the constitution of the Governing Body, which is to consist of 25 members, 22 to be appointed as before, and the remaining three by the London County Council. By this means the majority of four, which the Court of Assistants of the Mercers' Company previously had, is reduced to one, and by clause 22 the Master of the Mercers' Company is deprived of his position as Chairman. St. Paul's School is not a local school, and the endowment is not limited to any particular area. 30

(d) Section 71, providing for the constitution of the Governing Body of the Girls' School, is still more subversive of the predominance of the Mercers' Company under the Schemes of 1876 and 1879. Of the Governors of the Girls' School seven are to be appointed by the Governors of St. Paul's School, two by the County Council, two by the School Board for London, and two by the "general body of the Girls' School," meaning probably co-optation by the Governing Body of the Girls' School. The three Universities were taken in the former Schemes to be suitable bodies to appoint the well literate and learned men contemplated by the founder. The County Council and the School Board are different. The Master of the Company under the new Scheme would cease to be Chairman *ex officio*. 40

(e) The second paragraph of section 40 contains the boarding school conscience clause from section 16 of the Act of 1869. The Appellants object to that clause because St. Paul's School is essentially a day school, and the Governing Body have no control over the houses where the scholars live. The clause was not considered necessary in the Scheme of

1876 nor in that of 1879, and, having regard to the regulations made by the founder, the Appellants prefer the regulations as to matters of religion as they stand at present. They submit that under section 19 (2) of the Act of 1869, and the decision of the Commissioners in 1876, this clause ought not to be inserted in the Scheme "unless the Governing Body, "constituted as it would have been if no Scheme under this Act had "been made, assents to such Scheme," and the Mercers' Company and their Court of Assistants do not assent to the new Scheme, nor do the present Governing Body.

10 (f) By section 61, the Charity Commissioners take power to appoint the Examiners for the Annual Examination. The Appellants submit that this is an interference with the functions of the Governing Body not contemplated by the Acts.

40. The difference which has arisen between the Appellants and the Charity Commissioners is not due to any defect in the management of the School. The Scheme of 1876 contemplated, besides a girls' school or schools of high class, a classical school and a modern school, but with power for the Governors to substitute for the classical and modern schools a single school with classical and modern departments therein. The Scheme of 1879, while
 20 retaining the plan of a single school with two departments, provided for separate and to a certain extent independent head-masters of the two departments. When the numbers of the school established at West Kensington increased to over 600 the Charity Commissioners advised that the separate organisation of a modern department became imperative; but in substance the Governors have never failed to observe the provisions of the Scheme. The School has in effect four modern departments, viz.: First the science classes, second the Army classes, third the special mathematical class, and fourth the modern history class. The efficiency of the modern education so provided is shown by the table of successes in the Appendix. That the Charity
 30 Commissioners were satisfied with what was being done in this respect appears from their statement in a letter of the 1st August, 1893, that the primary object of the then proposed New Scheme was to legalise the existing state of things. And if the Scheme had been confined to this there would have been no opposition to it. This appears from the correspondence in the Appendix. In fact no Scheme at all was really necessary even for this limited purpose, because the sanction of the Charity Commissioners given under section 16 of the Charitable Trusts Act, 1853, would have justified what was being done, and such sanction might have been given by an Order of the Board without any Scheme at all, whether under the Endowed Schools Acts or under the Charitable Trusts
 40 Acts.

41. The Charity Commissioners have given no reasons for supposing that any change whatever in the Governing Body is calculated to promote the greater efficiency of the endowment, or to render it more conducive to the advancement of education. Their proposals on the subject have varied at different times since the first suggestion of altering the Scheme of 1879. In their letter of the 10th May, 1892, a proposal to add County Council
 App. p. 113.
 nominees was made, but on the Governors submitting that there was no

reason for that change the proposal was dropped, and when in December 1892 the first draft of the new Scheme was forwarded to the Governors for consideration, it made no proposal of any change in the Governing Body or the chairmanship thereof, and the published draft of the 4th March, 1893, also provided for no such change.

In a letter of the 1st August, 1893, the Charity Commissioners announced that they proposed to deprive the three Wardens of the Company of their places on the Governing Body and to supply their places by three persons to be nominated by the London County Council, and to make the chairmanship elective. They had not previously given to the Company or to the Governors any opportunity of discussing the question whether the advantages of preserving the number of Governors were sufficient to justify the change proposed. 10

In accordance with the said letter of 1st August, 1893, they on the 10th November, 1893, forwarded to the Company a revised draft of the Scheme, by which it was proposed to change the constitution of the Governing Body by substituting for the three Wardens of the Company three persons to be nominated by the London County Council, and to make the chairmanship elective. But the Scheme of April 1894 was again different. It proposed to retain the three Wardens of the Company on the Governing Body and to add three persons nominated in the first instance by the Charity Commissioners and afterwards by the London County Council, thereby increasing the number of the Governors to 25, notwithstanding that the preservation of the number of 22 was the sole reason given in the letter of the 1st August, 1893, for the course therein announced. 20

42. Further objections to the new Scheme are stated in the letters set out in the Appendix.

43. The Appellants, feeling aggrieved by the said Scheme, on the 24th day of October, 1894, presented their Humble Petition to the Queen's Most Excellent Majesty in Council, praying that Her Majesty would be pleased to withhold her approval of the said Scheme, on the grounds therein stated, and they submit that such approval ought to be withheld for the following amongst other 30

REASONS:

(a) That the Scheme is not within the scope of or made in conformity with the abovementioned Acts.

(b) That the Charity Commissioners, acting under the Endowed Schools Acts, had no power to make and publish a new reorganising Scheme after the Foundation had been already dealt with by them under their ordinary jurisdiction by the Scheme of 1879. 40

(c) That they had power only under their ordinary jurisdiction to amend the Scheme of 1879, under the special power reserved to them

under the clauses of those Schemes, upon the application either of the Appellants or of the present Governing Body of the Foundation.

(d) That section 44 of the Act of 1869 gave the Commissioners no power to deal with the Scheme of 1879; but if it did, it was only to amend and not to repeal or abrogate it and to prepare and publish a new Scheme.

(e) That clauses 15 and 16 of the new Scheme are not within the scope of the Acts.

10 (f) That the Scheme deals only with a portion of the income of the Foundation, and reserves the residue to be accumulated, with a view to a further Scheme, in a manner beyond the power of the Charity Commissioners.

(g) That there was no power by way of amendment after publication by the Committee of Council on Education and the expiration of the period for receiving objections and suggestions, to introduce into the Scheme published, or to direct or approve of the introduction of a new Scheme for a Girls' School, without the preliminary procedure provided by the said Acts having been followed, and full opportunity given for objections or suggestions.

20 (h) That the sum of £9,000, the maximum sum, exclusive of the cost of ordinary repairs and of any permanent structural improvements, allowed by clause 15 of the Scheme to be paid out of the income of the Foundation to your Petitioners for the purposes of the School, is inadequate, and the position and educational efficiency of the School will be seriously prejudiced by such limitation.

(i) That the Scheme does not render the educational endowment most conducive to the advancement of the education of boys and girls as required by section 9 of the Act of 1869.

30 (j) That the 2nd paragraph of clause 40 is *ultra vires*, the endowment of St. Paul's School being within sub-section 2 of section 19 of the Act of 1869, and the Commissioners having so decided in 1876.

(k) That there is nothing in the Endowed Schools Acts which authorises the framing of a Scheme in contravention of the compromise entered into in 1876 between the Commissioners and the Committee of Council on Education on the one hand and the Mercers' Company on the other hand, unless with the consent of the Mercers' Company, or in contravention of the Scheme of 1879 made on the application of the Governors and with the assent of the Mercers' Company, unless with the consent of both those bodies.

RICHARD E. WEBSTER.

GEORGE H. BLAKESLEY.

In the Privy Council.

IN THE MATTER OF THE FOUNDATION
OF ST. PAUL'S SCHOOL;

AND

IN THE MATTER OF A NEW SCHEME
FOR THE ADMINISTRATION OF THE
ABOVE-NAMED FOUNDATION;

AND

IN THE MATTER OF THE ENDOWED
SCHOOLS ACTS.

CASE OF THE APPELLANTS,
THE MERCERS' COMPANY.

FRISWILLIAMS & WILLIAMS.

In the Privy Council.

IN THE MATTER OF THE FOUNDATION CALLED OR KNOWN AS ST. PAUL'S SCHOOL, LONDON, FOUNDED BY DEAN COLET, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th of July, 1879 ;

AND

IN THE MATTER OF A SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION approved by the Committee of Council on Education on the 24th day of August, 1894, and published on the 27th day of the same month ;

AND

IN THE MATTER OF THE ENDOWED SCHOOLS ACTS 1869, 1873 AND 1874.

THE CASE OF THE RESPONDENTS

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES.

1. These are appeals by the Mercers' Company and the Governing Body of St. Paul's School against a Scheme framed under the Endowed Schools Acts 1869 to 1874, for the administration of the above-named Foundation known as St. Paul's School. The object of the Foundation (as declared by the Schemes of 1876 and 1879 already made) is to supply a liberal education to boys and girls by means of schools in or near London. The Scheme appealed from has been duly approved by the Committee of Council on Education on the 17th August, 1894, and published pursuant to the said Acts.

2. A Scheme for the regulation of the Foundation was duly made under the Endowed Schools Acts on the 24th March, 1876, which contained provisions for the ultimate establishment of three schools, viz., a classical school for boys, a modern school for boys, and a high school or high schools for girls, such schools to be established in such order of priority as the Governors should deem expedient. By this Scheme (sect. 87) it was declared that any of its provisions might be altered (so far as consistent with the declared object of the Foundation and with the Endowed Schools Acts) by Schemes to be made by the Charity Commissioners in the exercise of their ordinary jurisdiction, and on the 4th July, 1879, a Scheme for the Foundation was so made upon the application of the Governors by order of the Charity Commissioners, by which the provisions of the Scheme of 1876 were varied in certain particulars, but for the purposes of this appeal it does not seem necessary to refer in detail to the contents of these Schemes.

Scheme of 1876, Joint Appendix, p. 85.

Scheme of 1879, Joint Appendix, p. 108.

3. In March 1893 (one school only of the Foundation having as yet been established, viz., that now existing at West Kensington) the Charity

Commissioners, under the powers of the Endowed Schools Acts, duly published the draft of a Scheme for the Foundation, the main object of the Scheme as published being (in variation of the provisions of the Scheme of 1876, as altered by that of 1879),

- (1) To enable the existing school at West Kensington, called St. Paul's School, to be continued under one head master, as a classical school, with a modern department, with certain modifications as regards the Foundation Scholarships ;
- (2) In view of considerable increase of income from the endowment of the Foundation, to establish under separate governing bodies two other 10 schools at lower fees, to be called Dean Colet's Schools, one for boys and one for girls ; and
- (3) To provide for the distribution of the income from endowment between the three schools.

4. The draft so published will be found at p. 172 of the Joint Appendix. The provisions contained in it with respect to the proposed Dean Colet's Girls' School are in effect the same as those in the Scheme now under appeal, except that in the latter two persons are added to the body of Special Governors appointed for the Girls' School, and the lower limit of tuition fees is fixed at £15 instead of £12.

20

5. Upon publication, objections and suggestions on the subject of the draft Scheme were received from the present Appellants (the Mercers' Company and the Governors of St. Paul's School) and others, and were fully considered by the Commissioners, and subsequently, after protracted negotiations, the Appellants requested that in view of the then recent appointment of a Royal Commission on Secondary Education the proceedings for establishing new secondary or intermediate schools might be suspended, but that certain modifications of the existing Scheme as regards St. Paul's School might be made.

6. The Commissioners, while consenting, at the request of the Governors, to postpone for a time the settlement of the arrangements for the proposed new 30 schools, submitted for the approval of the Committee of Council on Education, under the provisions of the Endowed Schools Acts, a Scheme (being the published draft Scheme amended in certain particulars) dealing with the existing St. Paul's School, but directing the remaining income of the Foundation to be accumulated with a view to a further Scheme.

7. The Scheme so submitted having before approval been published by the Committee of Council on Education in accordance with the said Acts, objections and suggestions with reference thereto were addressed to the Committee by the Appellants, one objection taken by the Governors being to the omission from the submitted Scheme of provision for a girls' school. The Scheme was subsequently 40 remitted to the Commissioners by the Committee of Council, with a declaration in conformity with which certain amendments were made in the Scheme by the Commissioners, including the insertion of provisions for establishing a girls' school corresponding (except as hereinbefore mentioned) with those contained in the draft Scheme already published by the Commissioners. The Scheme so amended was again submitted to the Committee of Council, and was thereupon approved and published by them as hereinbefore mentioned, and is the Scheme now appealed from. It is set out in the Joint Appendix, pages 280 to 294.

8. The Appellants by their petitions state the grounds of appeal as follows :—

- (a) " That the Scheme is not within the scope of or made in conformity with
" the above-mentioned Acts.
- (b) " That the Charity Commissioners had no powers under the above-
" mentioned Acts to make and publish a new Scheme after the
" Foundation had been already dealt with by the Schemes of 1876 and
" 1879.
- 10 (c) " That they had power only under their ordinary jurisdiction to amend
" the Schemes of 1876 and 1879 under the special power reserved to
" them under the clauses of those Schemes upon the application either of
" your Petitioners or of the Governors of St. Paul's School.
- (d) " The section 41 of the Act of 1869 gave the Commissioners no power
" to deal with the Scheme of 1879 ; but if it did, it was only to amend
" and not to repeal or abrogate it, and to prepare and publish a new
" Scheme.
- (e) " That clauses 15 and 16 of the published Scheme are not within the
" scope of the Acts.
- 20 (f) " That the Scheme as approved and published deals only with a portion
" of the income of the Foundation, and reserves the residue to be
" accumulated with a view to a further Scheme in a manner beyond the
" power of the Charity Commissioners.
- (g) " That there was no power by way of amendment to introduce into the
" Scheme published by the Charity Commissioners, or to direct or
" approve of the introduction of a new Scheme for a girls' school without
" the preliminary procedure provided by the said Acts having been
" followed and full opportunity given for objections or suggestions.
- 30 (h) " That the Scheme does not have due regard to educational interests, to
" which regard is required by the said Acts to be had, in the abolition or
" modification of any privileges or educational advantages to which
" particular classes of persons or persons in particular classes of life
" are entitled.
- (i) " That the sum of £9,000, the maximum sum, exclusive of the costs or
" ordinary repairs and of any permanent structural improvements
" allowed by clause 15 of the Scheme, to be paid out of the income of
" the Foundation by your Petitioners to the Governing Body for the
" purposes of the school, is inadequate, and the position and educational
" efficiency of the school will be seriously prejudiced by such limitation.
- 40 (j) " That the Scheme does not render the educational endowment most
" conducive to the advancement of the education of boys and girls as
" required by section 9 of the Act of 1869.
- (k) " That the second paragraph of clause 40 is *ultra vires*, the endowment
" of St. Paul's School being within subsection 2 of section 19 of the
" Act of 1869.
- (l) " That no provision is made by the Scheme for enabling your Petitioners
" or the Governors to meet their liabilities in respect of vested interests.
- (m) " That clause 86 is not warranted by the Acts.

(n) "That there is no power to declare how the visitatorial power of your Majesty is to be exercised which was transferred to your Majesty by the Scheme of 1876."

Letter, 3rd
July, 1895,
Joint
Appendix,
p. 302.

9. The Appellants have by a letter from their solicitors, dated 3rd July, 1895, stated that the grounds (*h*) (*l*) (*m*) and (*n*) have been dropped.

10. As to (*a*), no particulars are given. As regards (*b*) (*c*) and (*d*), it is submitted that the power of making Schemes under the Endowed Schools Act is not in any respect limited as suggested in these objections. Sections 9, 10, 44, and 46 of the Endowed Schools Act 1869 enable the Commissioners during the whole period of the continuance of the powers transferred by section 1 of the Endowed Schools Act 1874 to deal by way of Scheme with endowments subject to their jurisdiction, whether such endowments have or have not been already so dealt with. 10

11. As to (*e*) and (*f*), the objections here suggested to the powers of the Commissioners are also, it is submitted, without any foundation. A direction in a Scheme that part of the income of charity property shall be accumulated with a view to a future Scheme for its application for the declared objects of the charity has been common in Schemes made by the Court of Chancery and otherwise, and has never, so far as the Respondents are aware, been supposed to be *ultra vires* of an authority having power to make Schemes, and in the opinion of the Respondents these provisions are expedient in the present case. 20

12. The ground of appeal (*g*) involves (it is submitted) a misconception of the provisions of the Acts, and of the circumstances of the case. By sections 33, 34, and 36, of the Endowed Schools Act 1869 the Commissioners are to publish and circulate a draft Scheme, and to consider objections and suggestions made respecting it before framing a Scheme to be submitted to the Committee of Council, but they are not directed to publish and circulate more than once in each case. Similarly by section 13 of the Endowed Schools Act 1874, and section 40 of the Endowed Schools Act 1869, the Committee of Council are to publish and circulate a Scheme submitted to them, and to receive objections and suggestions respecting it before approving the Scheme, with or without amendments made therein by the Commissioners (if the Scheme be remitted to them for that purpose), but no further publication and circulation is directed until the Scheme is approved. The objection (*g*) seems to assume that if a scheme is in any way modified after the receipt of objections and suggestions, a fresh publication and circulation with a view to further objections and suggestions is rendered necessary, but this is not prescribed by the Acts. The requirements of the Acts have been duly observed, and, as a matter of fact, full opportunity was given for objections and suggestions as to the provisions relating to the Girls' School, the clauses dealing with it in the Scheme under appeal being (as hereinbefore stated) the same (with slight exceptions) as those contained in the draft Scheme published by the Commissioners in March 1893. 30 40

13. The objections (*i*) and (*j*) relate to matters which are not the subject of appeal, and involve the policy of the Scheme. The Respondents, therefore, do not enter upon them, but merely say that the amount of income to be paid to the Governing Body of St. Paul's School and the other provisions of the Scheme have been settled after very careful consideration.

14. The remaining objection (*k*) is to the inclusion in the Scheme of the

provisions of section 16 of the Endowed Schools Act 1869 as to religious instructions, &c., with reference to boarding houses. This had been omitted in the Schemes of 1876 and 1879, but as the Scheme under appeal (clauses 35, 54) recognises and contemplates the admission of boarders, it was deemed right to introduce it. The Respondents are not aware on what the Appellants rely to show that the endowments of St. Paul's School are within subsection 2 of section 19 of the Act of 1869, and they submit that the case cannot come within that section.

15. Dean Colet died in 1519. No instrument of foundation of St. Paul's School contains any provision as to religious learning or instruction. The only
 10 statutes or regulations bearing on the matter, and made before the end of 50 years after Colet's death, are Dean Colet's own ordinances of 1512, in which provision is made for a chaplain, with directions that "he shall teach the children the Cathechyzon
 " and Instruction of the Articles of the Faith and the Ten Commandments in
 " English," and the founder willed that "the children learn first, above all, the
 " Cathechyzon in English, and after, the Accidence I made or some other."

Ordinances
of Colet,
Joint
Appendix,
p. 13.

Joint
Appendix,
pp. 13-20.

16. It is needless to say that the "Cathechyzon" referred to in Dean Colet's
 ordinances is not that contained in the Prayer Book of the Reformed Church of
 England, and (so far as the Respondents are aware) in 1512 no catechism which
 was a formulary of any church existed. Dean Colet's "Catechism" and "Instruction
 20 of the Articles of the Faith" (or creed) were composed by himself and are still
 extant. A copy of them (with his "Accidence") is contained in a book given
 and dedicated by Colet to William Lilly, the first Head Master of St. Paul's School
 in 1510, and will be found in the Joint Appendix. This Catechism and Instruction
 never were formularies of any "particular church, sect, or denomination." As
 to observance, the Royal Commissioners appointed to report on certain public
 schools, in their report on St. Paul's School (Vol. I., p. 195, note §), speaking in
 1864 with reference to Dean Colet's Catechism, say: "The High Master informs
 us that no Catechism of the kind is now in use."

Colet's
Catechism
&c., Joint
Appendix,
p. 31.

Public
Schools
Commission
Report,
Vol. I.,
p. 195.

The Respondents submit that the prayers of the Petitions of Appeal ought
 30 not to be granted, and that the Scheme under appeal should be approved by Her
 Majesty in Council for the following among other

REASONS:

1. Because the Commissioners had power by the Scheme under appeal to deal with the endowments thereby purported to be dealt with under the powers of the Endowed Schools Acts, and they have validly dealt with the same.
2. Because in making the Scheme under appeal the procedure prescribed by the said Acts as to publication and otherwise has been in all respects properly followed.
- 40 3. Because the endowments dealt with by the Scheme are not endowments coming within section 19, subsection (2) of the Endowed Schools Act 1869.
4. Because the Scheme under appeal is in all respects within the scope of and made in conformity with the said Acts, and is a valid and proper scheme.

HERBERT H. COZENS-HARDY.
 F. VAUGHAN HAWKINS.

IN THE MATTER OF ST. PAUL'S SCHOOL
LONDON

AND

IN THE MATTER OF THE ENDOWMENT
SCHOOLS ACTS

AND

IN THE MATTER OF A SCHEME MADE BY
THE COMMISSIONERS UNDER THE
SAID ACTS FOR THE ABOVE
NAMED FOUNDATION.

CASE OF THE RESPONDENT
THE CHARITY COMMISSIONERS FOR
ENGLAND AND WALES.

FARRER & CO.,

66 *Lincoln's Inn Fields*.

Scheme of 79. abolishes everything previous.
In G. 44 of S. Act 69 does not apply
p. 7. [C. 7. Scheme c. not do this]
S. 1. 1. 1. and Sch. of 94 not in terms
amending Scheme.

p. 5. Ar. case - S. 19.

Whitb - 8. per Gov. to £10,000

28 men: 93. per Gov. to £8,000 + repairs

5 men - 64. 80 per £10,000 + repairs

p. 244. Think only? of Gov. to S. 16.

[S. 16. not noticed in pub. letter, though then in for
first time.]

In the Privy Council.

IN THE MATTER OF THE FOUNDATION CALLED OR KNOWN AS ST. PAUL'S SCHOOL, LONDON, FOUNDED BY DEAN COLET, now regulated by a Scheme made under the Endowed Schools Acts, on the 24th March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th July, 1879, and made under their ordinary jurisdiction ;

AND

IN THE MATTER OF A NEW SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION approved by the Committee of Council on Education on the 24th day of August, 1894, and published on the 27th of the same month ;

AND

IN THE MATTER OF THE ENDOWED SCHOOLS ACTS 1869, 1873, AND 1874.

JOINT APPENDIX OF THE APPELLANTS (THE MERCERS' COMPANY AND THE GOVERNING BODY OF THE SAID FOUNDATION) AND THE RESPONDENTS.

FRESHFIELDS & WILLIAMS,

For the Appellants.

FARRER & CO.

For the Respondents.

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PETITION OF APPEAL OF THE MERCERS' COMPANY.

In the Privy Council.

IN THE MATTER of the FOUNDATION called or known as ST. PAUL'S SCHOOL, LONDON, founded by Dean Colet, now regulated by a Scheme made under the Endowed Schools Acts, on the 24th of March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th of July, 1879, and made under their ordinary Jurisdiction :

AND

IN THE MATTER of a New Scheme for the Administration of the above-named Foundation, approved by the Committee of Council on Education on the 24th day of August, 1894, and published on the 27th day of the same month ;

AND

IN THE MATTER of the Endowed Schools Acts 1869, 1873, and 1874.

TO THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

THE HUMBLE PETITION of the WARDENS and COMMONALTY of the MYSTERY of MERCERS of the CITY OF LONDON (commonly called the Mercers' Company).

SHEWETH as follows :—

1. YOUR PETITIONERS are a Body Corporate who, as Trustees of the above-named Foundation, have the right of holding, and divers powers of management over, the Endowment of the said Foundation, and as such entitled, under the Endowed Schools Acts, to present this Petition.

2. The Charity Commissioners, purporting to act under the powers conferred on them by the above-mentioned Acts, in April 1894 published a Draft Scheme for the Administration of the above-mentioned Foundation. Such Scheme was submitted for their approval to the Committee of Council on Education, and, after divers alterations and the introduction of a New Scheme for a Girls' School, was approved by the Committee of Council on Education on the 24th of August, 1894, and was published by them on the 27th of August, 1894.

B

3. YOUR PETITIONERS feel aggrieved by the said Scheme on the grounds following :—

(a) That the Scheme is not within the scope of or made in conformity with the above-mentioned Acts.

(b) That the Charity Commissioners had no power under the above-mentioned Acts to make and publish a New Scheme after the Foundation had been already dealt with by the Schemes of 1876 and 1879.

(c) That they had power only under their ordinary Jurisdiction to amend the Schemes of 1876 and 1879, under the special power reserved to them under the clauses of those Schemes, upon the application either of 10 your Petitioners or of the Governors of St. Paul's School.

(d) That Section 44 of the Act of 1869 gave the Commissioners no power to deal with the Scheme of 1879; but if it did, it was only to amend, and not to repeal or abrogate it and to prepare and publish a New Scheme.

(e) That clauses 15 and 16 of the published Scheme are not within the scope of the Acts.

(f) That the Scheme as approved and published deals only with a portion of the income of the Foundation, and reserves the residue to be accumulated, with a view to a further Scheme, in a manner beyond the power of the Charity Commissioners.

20

(g) That there was no power by way of amendment to introduce into the Scheme published by the Charity Commissioners, or to direct or approve of the introduction of a New Scheme for a Girls' School, without the preliminary procedure provided by the said Acts having been followed, and full opportunity given for objections or suggestions.

(h) That the Scheme does not have due regard to educational interests to which regard is required by the said Acts to be had in the abolition or modification of any privileges or educational advantages to which particular classes of persons or persons in particular classes of life are entitled.

(i) That the sum of £9,000, the maximum sum, exclusive of the cost 30 of ordinary repairs and of any permanent structural improvements, allowed by clause 15 of the Scheme to be paid out of the income of the Foundation by your Petitioners to the Governing Body for the purposes of the School, is inadequate, and the position and educational efficiency of the School will be seriously prejudiced by such limitation.

(j) That the Scheme does not render the educational endowment most conducive to the advancement of the education of boys and girls as required by section 9 of the Act of 1869.

(k) That the 2nd paragraph of clause 40 is *ultra vires*, the endowment of St. Paul's School being within sub-section 2 of section 19 of the Act of 40 1869.

(l) That no provision is made by the Scheme for enabling your Petitioners or the Governors to meet their liabilities in respect of vested interests.

(m) That clause 86 is not warranted by the Acts.

(n) That there is no power to declare how the Visitation power of

Your Majesty is to be exercised, which was transferred to Your Majesty by the Scheme of 1876.

YOUR PETITIONERS therefore humbly pray that Your Majesty in Council will be graciously pleased to withhold your approval from the said Scheme.

AND YOUR PETITIONERS will ever pray.

The Seal of the Mercers' Company was duly affixed this 19th day of October, 1894, in the presence of

JOHN WATNEY,

Clerk of the Mercers' Company,
Mercers' Hall.



PETITION OF APPEAL OF THE GOVERNORS OF ST. PAUL'S SCHOOL.

In the Privy Council.

IN THE MATTER of the FOUNDATION called or known as ST. PAUL'S SCHOOL, LONDON, founded by Dean Colet, now regulated by a Scheme made under the Endowed Schools Acts, on the 24th of March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th of July, 1879, and made under their ordinary Jurisdiction ;

AND

IN THE MATTER of a New Scheme for the Administration of the above- 10
named Foundation, approved by the Committee of Council on Education on the 24th day of August, 1894, and published on the 27th day of the same month ;

AND

IN THE MATTER of the Endowed Schools Acts 1869, 1873, and 1874.

TO THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

THE HUMBLE PETITION of the GOVERNING BODY of the ENDOWMENT of the said FOUNDATION, as constituted by the above-mentioned Scheme of the 24th of March, 1876, as altered by the Scheme of the 4th of July, 1879, 20

SHEWETH as follows :—

1. YOUR PETITIONERS are the Governing Body of the Endowment of the said Foundation, as constituted by the above-mentioned Scheme, which now regulates the appointment of the said Body.

2. The Charity Commissioners, purporting to act under the powers conferred on them by the above-mentioned Acts, in April, 1894, published a Draft Scheme for the Administration of the above-mentioned Foundation. Such Scheme was submitted for their approval to the Committee of Council on Education, and, after divers alterations and the introduction of a New Scheme for a Girls' School, was approved by the Committee of Council on Education

on the 24th of August, 1894, and was published by them on the 27th of August, 1894.

3. YOUR PETITIONERS feel aggrieved by the said Scheme on the grounds following :—

(a) That the Scheme is not within the scope of or made in conformity with the above-mentioned Acts.

(b) That the Charity Commissioners had no power under the above-mentioned Acts to make and publish a New Scheme after the Foundation had been already dealt with by the Schemes of 1876 and 1879.

10 (c) That they had power only under their ordinary Jurisdiction to amend the Schemes of 1876 and 1879, under the special power reserved to them under the clauses of those Schemes, upon the application either of your Petitioners or of the Mercers' Company.

(d) That Section 44 of the Act of 1869 gave the Commissioners no power to deal with the Scheme of 1879, but if it did, it was only to amend and not to repeal or abrogate it and to prepare and publish a New Scheme.

(e) That clauses 15 and 16 of the published Scheme are not within the scope of the Acts.

20 (f) That the Scheme as approved and published deals only with a portion of the income of the Foundation, and reserves the residue to be accumulated with a view to a further Scheme, in a manner beyond the power of the Charity Commissioners.

(g) That there was no power by way of amendment to introduce into the Scheme published by the Charity Commissioners, or to direct or approve of the introduction of a new Scheme for a Girls' School without the preliminary procedure provided by the said Acts having been followed and full opportunity given for objections or suggestions.

30 (h) That the Scheme does not have due regard to educational interests to which regard is required by the said Acts to be had in the abolition or modification of any privileges or educational advantages to which particular classes of persons or persons in particular classes of life are entitled.

(i) That the sum of £9,000, the maximum sum, exclusive of the cost of the ordinary repairs and of any permanent structural improvements, allowed by clause 15 of the Scheme to be paid out of the income of the Foundation to your Petitioners for the purposes of the School, is inadequate, and the position and educational efficiency of the School will be seriously prejudiced by such limitation.

40 (j) That the Scheme does not render the educational endowment most conducive to the advancement of the education of boys and girls as required by Section 9 of the Act of 1869.

(k) That the 2nd paragraph of clause 40 is *ultra vires*, the endowment of St. Paul's School being within Sub-section 2 of Section 19 of the Act of 1869.

(l) That no provision is made by the Scheme for enabling your Petitioners or the Mercers' Company to meet their liabilities in respect of vested interests

(*m*) That clause 86 is not warranted by the Acts.

(*n*) That there is no power to declare how the Visitatorial power of your Majesty, which was transferred to your Majesty by the Scheme of 1876, is to be exercised.

YOUR PETITIONERS therefore humbly pray that your Majesty in Council will be graciously pleased to withhold your approval from the said Scheme.

AND YOUR PETITIONERS will ever pray.

Signed on behalf of the Governing Body of St. Paul's School pursuant to resolution passed at a meeting of the same Governing Body duly summoned for that purpose, and held 10 on the 19th day of October, 1894, at which meeting a quorum of the Governors were present.

JAMES BADEN POWELL,
Chairman of the Governing Body.

JOHN WATNEY,
Clerk.

[12th July, 1511.]

TRANSLATION OF A GRANT BY DEAN COLETT TO THE WARDENS
AND COMMONALTY OF THE MERCERS' COMPANY OF LANDS
IN BUCKINGHAMSHIRE FOR THE SUPPORT OF ST. PAUL'S
SCHOOL. ENROLLED IN A BOOK ENTITLED "EVIDENCES OF
DEAN COLETT'S LANDS."

CHARTER OF JOHN COLETT, DOCTOR OF SACRED THEOLOGY, TO
THE WARDENS AND COMMONALTY OF THE MYSTERY OF
THE MERCERS OF LONDON OF DIVERS MANORS AS IN THE
10 SAME CHARTER MORE FULLY APPEARS.

To all the faithful in Christ to whom the present writing indented shall come
John Colett, Doctor of Sacred Theology, Dean of the Cathedral Church of St.
Paul, London, Greeting in the Lord. Know yethat I the aforementioned John Colett have
given granted and by this my present charter indented have confirmed to the
Wardens and Commonalty of the Mystery of the Mercery of the City of London,
the Manor of Vache with appurtenances in the county of Buckingham. And also four
messuages, 100 acres of land, 20 acres of meadow 100 acres of pasture 10 acres of wood
and 40s. rent with appurtenances in Aston Clynton Wendover and Sherrington in the
said county of Buckingham. I have given also to the aforementioned Wardens and
20 Commonalty of the Mystery aforesaid four messuages four tofts 390 acres of
land $22\frac{1}{2}$ acres of meadow [and] $15\frac{1}{2}$ acres of pasture with appurtenances in
Weston Turvyle Bedgrove Berton and Aylesbury in the same county. I have
given also and granted to the aforementioned Wardens and Commonalty of the Mystery
aforesaid the Manors of Wotton and Ham with appurtenances, 200 acres of land
60 acres of meadow 200 acres of pasture 20 acres of wood and 20s. rent with
appurtenances in Wotton Ham and Woddysdon in the county aforesaid. I have
given moreover and granted to the same Wardens and Commonalty of the Mystery
aforesaid the Manor of Bury with appurtenances two messuages 200 acres of
30 land 25 acres of meadow 8 acres of pasture 60s. rent and the rent of 32
quarters of mesline* with appurtenances in Wengrave Rollesham and Bourton
next Buckingham in the same county of Buckingham. And also I have given
and granted to the aforementioned Wardens and Commonalty of the Mystery aforesaid
the Manor of Weston Turvyle otherwise called the Manor of Hide, 200 acres of
land 200 acres of meadow 200 acres of pasture and 20s. rent with appurtenances
in Weston Turvyle Halton and Broughton in the aforesaid county of Buckingham.
And further I have given and granted to the aforementioned Wardens and Commonalty
of the Mystery aforesaid 22 acres of land and two acres of meadow
called Wendover "londes" lying in the parish of Weston Turvyle

*Wheat and rye
mixed.

aforesaid. To have and to hold all the aforesaid manors messuages lands tenements and other the premises with appurtenances to the aforesaid Wardens and Commonalty of the Mystery aforesaid and their successors for ever—for the continuance of a certain school in the churchyard of the said church of St. Paul for the learning by the boys in the same school of good manners and literature, and for the sustentation of one master and one usher or two ushers of the same and of other things necessary there to be done according to the ordinance by me the aforesaid John Colett my heirs or executors thereof henceforth to be made—of the chief lords of those fees by the services therefor due and of right accustomed. And I the aforesaid John Colett and my heirs 10 will warrant and for ever defend the manors tofts lands [and] tenements aforesaid and other the premises with appurtenances against the Abbot of the Monastery of the Blessed Peter of Westminster and his successors. And moreover know ye that I the aforesaid John Colett have assigned made ordained and in my place by the presents have put my well beloved in Christ, Maurice Hawkebroke and William Newbold my true and lawful attorneys in this behalf jointly and severally to enter into the manors tofts tenements lands meadows pastures woods and rents with appurtenances and to amove and expel all persons whomsoever occupiers of the same manors tofts lands tenements and other the premises and for me and in my name to take full and peaceable possession and seizin 20 thereof. And after such possession and seizin so thereof taken and had to deliver for me and in my name to the aforesaid Wardens and Commonalty of the Mystery aforesaid or their attorney or attorneys in this behalf full and peaceable possession estate and seizin of and in all and singular the above-said manors tofts tenements lands meadows pastures woods and rents with appurtenances according to the force, form, tenour, and effect of this my present charter indented. [And] I have ratified and confirmed by the presents and will hold firm and established all and whatsoever my aforesaid attorneys in my name shall do or either of them shall do in the premises. In witness whereof to either part of this my present charter indented I have set my seal. Given the 12th day of the month 30 of July in the year of our Lord, 1511, and in the third year of the reign of King Henry the Eighth after the Conquest of England.

ORDINANCES MADE BY DEAN COLETT FOR THE GOVERNMENT
OF ST. PAUL'S SCHOOL. A.D. 1512.

Prologus.

JOHN COLETT, the son of Henry Colett, Dean of Paul's, desiring nothing more than education and bringing up children in good manners and literature. in the year of our Lord a thousand five hundred and twelve, builded a school in the east end of Paul's church for 153 to be taught free in the same, and ordained there a master and a surmaster and a chaplain with sufficient and perpetual stipends ever to endure, and sett patrons and defenders governors and
10 rulers of that same school the most honest and faithful fellowship of the Mercers of London. And for because nothing can continue long and endure in good order without laws and statutes I the said John have expressed and shewed my mind what I would should be truly and diligently observed and kept of [the said] master and surmaster and chaplain and of the mercers governors of the school that in this boke may appear to what intent I founded this school.

Capitulum Primum de Magistro Primario.

In the Grammar School founded in the church yard of Paul's at the east end in the year of our Lord, 1512, by John Colett, Deane of the same church, in the honour of Christ Jesu *in pueritia* and of his blessed mother Mary, in that school
20 shall be first a high master. This high master in doctrine learning and teaching shall direct all the school. This master shall be chosen by the Wardens and Assistants of the Mercery, a man whole in body honest and virtuous and learned in good and clean Latin literature and also in Greek if such may be gotten, a wedded man, a single man, or a priest that bath no benefice with cure nor service that may let his due business in the school.

The Mercers shall assemble together in the school house with such advice and counsel of "wele literature" and learned men as they can get, they shall choose this master and give unto him his charge, saying unto him on this wise:—

Sir, we have chosen you to be master and teacher of this school to teach the
30 children of the same not alone good literature but also good manners, certifying you that this is no room of continuance and perpetuity but upon your duty in the school; and every year at Candlemas when the Mercers be assembled in the school-house ye shall submit you to our examination, and found doing your duty according, ye shall continue; otherwise, reasonably warned, ye shall content you to depart and you of your part not warned by us but of your mind in any season willing to depart ye shall give us warning twelve months before without we can be shortlier well provided of another.

Also being master ye shall not absent you but upon licence of the surveyors for the time being.

Also if any controversy and strife shall be betwixt you and [the] surmaster or the chaplain of the school ye shall stand at the direction of the surveyors being for that year.

And if the chosen master will promise this then admit him and name him to it and instal him in his seat in the school and shew him his lodging that is to say—all the cellars beneath and the hall, the kitchen, and buttery, and over that the whole story and chambers and in the house roof the little mid chamber and the gallery in the “soughsid.” As touching all the story of chambers next underneath the galleries he shall nothing meddle withal. And they shall give him the implements of his by house indenture.

All these belongings he shall have free without any payment, and in this lodging he shall dwell and keep household to his power.

His wages shall be a mark a week, and a livery gown of four nobles delivered in cloth.

His absence shall be but once in the year and not above thirty days which he shall take *conjunctim* or *divisim*.

If the master be sick of sickness incurable or fall into such age that he may not conveniently teach, and hath been a man that long and laudably hath taught in the school then let another be chosen and by the discreet charity of the Mercery let there be assigned to the old master a reasonable living of £10 or otherwise, as it shall seem convenient, so that the old master after his long labour in no wise be left destitute.

If the master be sick of sickness curable yet nevertheless I will he shall have his wages and in such sickness, if he may not teach let him reward the under-master for his more labour somewhat according.

If the under master be in literature and in honest life according, then, the high master's room vacant, let him be chosen before another.

The high master shall have the tenement in Setbenhith,* now in the hands of Christopher Middleton, to resort unto, which tenement the Mercers shall maintain and repair.

There shall also be a surmaster some man virtuous in living and well lettered that shall teach under the master as the high master shall appoint him some single man or wedded or a priest that hath no benefice with cure nor service that may let his due diligence in the school.

This surmaster, the high master shall choose as often as the room shall be void, a man whole in body, and when the high master hath appointed him upon one he shall call to the school the surveyors of the school and before them he shall say to the surmaster on this wise :—

Sir, before these my masters here, the surveyors of this school, I shew unto you that I have chosen you to be under master of this school and to teach always from time to time as I shall appoint you and supply my room in my absence when it shall be granted me by my masters, the Mercers Wardens and Surveyors. And for such more labour in my absence I shall somewhat see to you as my masters here shall think best.

Then the surveyors shall exhort that surmaster diligently to do his duty, and shall say unto him on this wise :—

Your room is no perpetuity, but according to your labour and diligence ye

10

20

30

*Stepney.

shall continue ; otherwise, found not according and reasonably warned of us, ye shall depart. If it shall be so that at any time ye will depart of your own mind, ye shall give us a half a year warning. If any controversy be betwixt you and the high master ye shall stand at our direction in everything. If he will promise this, then let the Mercers approve the election of the surmaster and assign him his lodging in the Old Change.

His wages shall be 6*s.* 8*d.* a week and a livery gown of four nobles delivered in cloth ; he shall go to commons with the high master, if he may conveniently.

He shall be absent in all the year not above thirty days, and yet then for
10 cause reasonably and with licence had of the high master and also of the surveyors.

In sickness curable as axis* or such sickness for a time he shall be tolerated
and have his full wages. *axes=ague?

If after his coming he shall sick into sickness incurable as leprosy or French pox or after his long labour in the school, fall into age impotent, then I commit him to the charity of the Mercers, they of the coffer of the school, to provide him a living, as it may be possible, praying them to be charitable in that behalf.

Of both masters at once.

If both masters be sick at once, then let the school cease for that while.

If there be such sickness in the City contagious that the school cannot
20 continue yet nevertheless both masters shall have their wages, being always ready for to teach.

Neither of these masters shall take office of rectorship or proctorship or any such other business which shall let their diligence and their necessary labour in the school. If they do, and warned lawfully, if they will not cease from such business, then let them be warned to depart.

Let the high master see the school to be kept clean by the poor childe, and be swept every Saturday, and also the leads, and from time to time to call upon the Mercers for necessary reparations.

The Chaplain.

30 There shall be also in the school a priest that daily, as he can be disposed shall sing mass in the chapel of the school and pray for the children to prosper in good life and good literature to the honour of God and our Lord Christ Jesu. At his masse when the bell in the school shall knell to sacring then all the children in the school, kneeling in their seats, shall with lifted up hands pray in the time of sacring. After the sacring when the bell knelleth again, they shall sit down again to their learning.

This priest, some good, honest, and virtuous man, shall be chosen from time to time by the Wardens and Assistants of the Mercery. He shall also learn, or if
40 he be learned, help to teach in the school, if it shall seem convenient to the high master, or else not.

He shall have no benefice with cure nor service nor no other office nor occupation but attend alone upon the school. He shall teach the children the

“ Cathechyzon ” and instruction of the Articles of the Faith and the Ten Commandments, in English.

His wages shall be Eight pounds by the year and livery gown of 36s. 8d. delivered in cloth.

His chamber and lodging shall be in the new house in the “ Olde Chayn,” or in the master’s lodging, as shall be thought best.

He shall not have his room by writing or seal, but at liberty, according to his deserving. His absence may be once in the year if it be needful as it shall seem best to the surveyors of the school for that year, and then with licence asked and obtained of the said surveyors.

In sickness he shall by nothing be abridged of his wages ; but let it be seen that he be whole in body when he is chosen.

If he fall to unthriftiness and misbehaviour, after lawful warning let him be repelled and another chosen within eight days or as soon after as can be.

The Children.

*De admissione
puerorum.*

There shall be taught in the schools children of all nations and countries, indifferently, to the number of a 153, according to the number of the seats in the school. The master shall admit these children as they be offered from time to time ; but first see that they can (*sic*) the “ Cathechyzon,” and also that he can read and write competently ; else let him not be admitted in nowise.

A child at the first admission once for ever shall pay 4d. for writing of his name. This money of the admissions shall the poor scholar have that sweepeth the school and keepeth the school clean.

In every form one principal child shall be placed in the chair, president of that form.

The children shall come unto school in the morning at seven of the clock both winter and summer and tarry there until 11, and return again at one of the clock and depart at five ; and thryse in the day, prostrate, they shall say the prayers with due tract and pausing, as they be contained in a table in the school, that is to say, in the morning and at noon and at evening.

In the school, in no time in the year, they shall use tallow candles in no wise, but only wax candles, at the cost of their friends.

Also I will they bring no meat nor drink nor bottles, nor use in the school no breakfasts nor drinkings, in the time of learning, in nowise. If they need drink, let them be provided in some other place.

I will they use no cockfighting nor riding about of victory nor disputing at St. Bartholomew’s, which is but foolish babbling and loss of time.

I will also they shall have no remedies. If the master granteth any remedies he shall forfeit 40s. *totiens quotiens*, except the King or an archbishop or a bishop, present in his own person in the school, desire it.

All these children shall every chyldermasse day, come to Paul’s church and hear the Child-Bishop’s sermon, and after be at the high mass, and each of them offer a penny to the child-bishop ; and with them the masters and surveyors of the school.

In general processions, when they be warned, they shall go twain and twain

together, soberly, and not sing out, but say devoutly, twain and twain, seven psalms, with the Litany.

To their urine they shall go thereby to a place appointed, and a poor child of the school shall see it conveyed away from time to time, and have the avail of the urine ; for other causes if need be they shall go to the waterside.

If any child, after he is received and admitted into the school, go to any other school to learn there after the manner of that school, then I will that such child for no man's suit shall be hereafter received into our school but go where him list where his friends shall think shall be better learning. And this I will be shewed
10 unto his friends or other that offer him at his first presenting into the school.

What shall be taught.

As touching in this school what shall be taught of the masters and learned of the scholars it passeth my wit to devise and determine in particular ; but in general to speak and somewhat to say my mind, I would they were taught always in good literature, both Latin and Greke, and good authors, such as have the very Roman eloquence joined with wisdom, especially Christian authors that wrote their wisdom with clean and chaste Latin, either in verse or in prose ; for my intent is by this school, specially to increase knowledge and worshipping of God and our Lord Christ Jesu, and good Christian life and manners in the children.
20 And for that intent, I will the children learn first above all, the Catechyzon, in English, and after the accidence I made, or some other, if any be better to the purpose to induce children more speedily to Latin speech and then Institutum Christiani homines (*sic*) which that learned Erasmus made at my request, and the book called *Copia* of the same Erasmus. And then such other authors Christian as Lactantius Prudentius and Proba and Sedulius and Juventus and Baptista Mantuanus and such others as shall be thought convenient and most to purpose unto the true Latin speech, all "barbary," all corruption, all Latin adulterate, which ignorant blind fools brought into this world and with the same hath distained and poisoned the old Latin speech and the very
30 Roman tongue which in the time of Tully and Salust and Virgil and Terence was used, which also St. Jerome and St. Ambrose and St. Austin and many holy doctors learned in their times.

I say that filthiness and all such abuse which the later blind world brought in, which more rather may be called blotterature than literature I utterly abanish and exclude out of this school, and charge the masters that they teach always that is the best, and instruct the children in Greek and reading Latin, in reading unto them such authors that have with wisdom joined the pure chaste eloquence.

The Mercers' Charge.

40 The honourable Company of Mercers of London, that is to say, the Master and all the Wardens and all the Assistants of the Fellowship shall have all the

cure and charge, rule and governance of the school; and they shall every year choose of their company two honest and substantial men, called the Surveyors of the school, which, in the name of the whole Fellowship, shall take all the charge and business about the school for that one year.

They shall oversee and receive all the lands of the school and see them repaired from time to time by their officers. And such officer as they appoint to be renter or to other business of the school, for his more labour in the said school business, I will he have 20s. a year, and a gown price 13s. 4d.

The Surveyors of the school shall come into the school six days before Christmas, six days before Easter, six days before St. John Baptist's day, and six 10 days before Michaelmas, and pay the high master and surmaster, [and] the priest, their quarter's wages, and at the latter end of the year. their liveries in cloth; and once in the year they shall give account to the Master Wardens and Assistants of the Fellowship.

Their account shall be about Candlemas three days afore or three days after Candlemas day. In that day appointed shall be assembly and a little dinner ordained by the Surveyors, not exceeding the price of four nobles.

In that day they shall [bring] to a reckoning all the estate of the school and see the account, and discharge the old Surveyor, and so the young choose 20 another. And in that day after the account they shall give

To the Master Warden, a noble if he be present, or else not.

To each of the other Wardens, 5s. if they be present, or else not.

To the Surveyors, each of them, 40s. for their labours for that year.

For their riding and visiting of their lands, to each of them 40s. if they ride.

The Clerk of the Mercery shall enact all things that day and have for his labour 3s. 4d.

See that the Steward bring in his court rolls or he have his fee.

See that the Bailiffs renew their rentals every five years.

Let not the lands of the school but by the space of five years.

That is spared that day in rewards and charges let it be put in the treasury of 30 the school.

They shall divers times in the quarter come to the school and see how they do.

Every year at the foot of the account all ordinary charges done, the overplus of money which at this day is extemyd [*i.e.* estimated], this I wholly give to the fellowship of the Mercery to the maintaining and supporting and repairing of all that belongeth to the school from time to time.

And albeit my mind is that they shall have this surplusage for the intent abovesaid, yet nevertheless I will the said surplusage as much as shall be spared of it, above reparations and casualties at every account, be brought and put in a 40 coffer of iron given of me to the Mercery standing in their hall, and there from year to year remain apart by itself, that it may appear how the school by their own self maintaineth itself. And at length over and above their own livelihood, if the said school shall grow to any further charge to the Mercery that then also that may appear to the laud and praise and merit of the said Fellowship.

Liberty to declare the statutes.

And notwithstanding these statutes and ordinances before written, in which I have declared my mind and will, yet because in time to come many things may and shall survive and grow by many occasions and causes, which, at the making of this book was not possible to come to mind; in considering the assured truth and circumspect wisdom and faithful goodness of the most honest and substantial Fellowship of the Mercery of London to whom I have committed all the cure of the school, and trusting in their fidelity and love that they have to God and man and to the school and also believing verily that they shall always dread the great wrath of God; both all this that is said and all that yet is not said which hereafter shall come unto my mind, while I live, to be said, I leave it wholly to their direction and charity, I mean of the Wardens and Assistants of the Fellowship with such other counsel as they shall call unto them, good lettered and learned men, they to add and diminish unto this book and to supply in it every default and also to declare in it every obscurity and darkness as time and place and just occasion shall require calling the dreadful God to look upon them in all such business and exhorting them to fear the terrible judgment of God which seeth in darkness, and shall render to every man according to his works And finally praying the great Lord of Mercy, for their faithful dealing in this matter
 10
 20 now and always, to send unto them in this world much wealth and prosperity and after this life much joy and glory.

The Lands of the School.

First, of the old school, 20s.

Item the four shops in the hold of Berell, 4*li*.

Item the tenements in Bridge Street, 8*li*. 6*s*. 8*d*.

Item the tenements in Soperlane, 6*li*. 13*s*. 4*d*.

Item the tenements in Pudding Lane, 6*li*. 13*s*. 4*d*.

Item the holds without Aldgate, 6*li*. 18*s*.

Sum, 33*li*. 11*s*. 4*d*.

30 Item the manors and lands and tenements in the county of Bucks, 52*li*. 11*s*. 9*d*.

Item the manor of Vach in Barton, with the members, 8*li*. 4*s*. 6½*d*.

Item the manor of Berwick, 8*li*.

Item of lands in Colchester, 3*li*. 13*s*. 4*d*.

Sum, 72*li*. 9*s*. 7½*d*.

Item a tenement and certain closes late in the hold of William Rote by the
 year 50*s*.

Item a tenement and a close late in the hold of Clyfton, 26*s*. 8*d*.

Item of a close late in the hold of Master Wellis, 23*s*. 4*d*.

Item, another little close in the hold of the same Master Wells, 5*s*.

Item a barn late in the hold of the same man, 6s. 8d.
 Item of Edmond Rote for four acres of land of the backside of Whiteherte Street, 5s.
 Item of Christopher Hall for certain land late John at Fenix by the year, 7*li*.
 Item of the same Hall for 8 acres of land in London Field, 16s.
 Item of Mr. Christopher Middleton for a certain tenement there, 20s.
 Item of four little tenements there, 13s. 4d.
 Item 9 acres [of] pasture next the place there, 30s.
 Item of a place with gardens there, 40s.
 Sum, 17*li*. 11s. 10
 Paid unto the Bishop of London yearly, at four terms, of lands and tenements before, 52s. 4d.
 Sum clear, 16*li*. 3s. 8d.
 Sum total, 122*li*. 4s. 7½d.
 Whereof deducted for the shops in the holding of Berell for a certain time, 4*li*.
 Remaineth clear, 118*li*. 4s. 7½d.

Charges ordinary outpaid yearly.

To the high master, 52 marks.
 The under master, 26 marks.
 The priest, 8*li*. 20
 Their livery, 4*li*.
 The supervisors, 4*li*.
 For the visitation of lands, 4*li*.
 The clerk, 3s. 4d.
 The Master and Wardens, 21s. 8d.
 To stewards, 40s.
 To bailiffs, 40s.
 The costs of the dinner, 26s. 8d.
 The officer of the Mercery, renter of the school, 20s.
 For his gown, 13s. 4d. 30
 Sum, 80*li*. 5s.
 So rests to the reparations, suits, casualties, and all other charges extraordinary 38*li*. 16s. 3½d.

JOANNES COLETT,
 Fundator nove scole manu mea propria.

[A.D. 1514.]

TRANSLATION OF THE WILL OF DEAN COLETT, TAKEN FROM
THE VOLUME ENTITLED "EVIDENCE OF DEAN COLETT'S
LANDS" (fo. 90).

In the name of God, Amen.—On the 10th day of the month of June, A.D. one thousand five hundred and fourteen and in the 6th year of the reign of King Henry the VIII. after the Conquest, I, John Colet, Doctor of Sacred Theology, Dean of the Cathedral Church of St. Paul's, London, Citizen and Mercer of London, and Freeman of the same City, son and heir of Sir Henry Colet, Knight, Citizen whilst he lived, and Alderman of London, do compose, make, and ordain
10 this my present testament, as to the disposition of all and singular messuages lands and tenements and other my hereditaments under written with their appurtenances within the City of London, after this manner which follows :

Inprimis, I bequeath and recommend my soul to God Omnipotent, my Creator and Saviour, and to the Blessed Mary His Mother. Item, I the aforesaid John Colet give and bequeath to the wardens and commonalty of the Mystery of the Mercery of the city of London, all my messuages, lands, tenements, and other hereditaments under written, viz. : one messuage with the shops, cellars, solars, and all other the appurtenances, situate, lying and being in Soper Lane, in the parishes of Saint Anthony and St. Pancras, in the ward of Cordwainer Street,
20 London, between the lane called Soper Lane on the east part, and the tenement of the prior and convent of the Hospital of the Blessed Mary of Elsyng, London, and the tenement appertaining to the parish church of the Blessed Mary of Colechurch on the west part and the tenement appertaining to the church of the Blessed Mary le Bow of London on the south part, and the alley or entry there leading from Soper Lane aforesaid unto the back gate of the messuage of the said prior and convent on the north part, and my said messuage contains in land, in length on the east part thereof, next Soper's Lane aforesaid between the north and south one hundred and seventeen feet and one inch, and in breadth on the north part next the said alley or entry, between the east and west, eighty six feet and
30 five inches of assize and it contains in length on the south part thereof, by three several gables or three several corners ninety three feet and four inches of assize within or without whereof one of the three gables contains in length by the south, twenty nine and a half feet three inches of assize, and the middle gable or corner thereof contains in length by the south, twenty five feet of assize, and the anterior gable or corner thereof contains in length by the south, thirty nine and a half feet of assize, which make the said length of ninety four feet three inches, and the interior or back gable of the said three gables contains in breadth at the west end thereof, forty four feet three inches of assize and the middle gable thereof contains in
40 breadth at the west end towards the south, more than the said interior gable, by twenty six feet seven and a half inches of assize, and the anterior gable thereof

contains in breadth at the west end thereof towards the south more than the middle gable by fourteen feet and two inches of assize. And also all those my two messuages with their appurtenances situate and lying in the paris of Saint Magnus the Martyr in Bridge Ward London, whereof one messuage thereof is situate and lies between the high street there called Bridge Street on the east part, and the tenement appertaining to the parish church of Saint Magnus aforesaid on the west and south parts and the high street there called Thames Street on the north part, and contains in length on the east part thereof next the said street called Bridge Street between the south and north, ten feet and five inches of assize, and in length on the west part thereof, between the south and north, ten feet three 10 inches and a half of assize, and in breadth at the north end near Thames Street aforesaid, nine feet and eight inches of assize, and in breadth at the south end thereof, between the east and west, nine feet seven inches and a half of assize ; and the other messuage thereof is situated and lies in Bridge Street aforesaid between the street of Bridge Street on the east part, and the tenement late of John Brunsop and Agnes his wife, and the tenement late of Dame Alice Tailliard on the west and south parts, and the tenement late of Richard Cokks, and Lettice his wife on the north part, and it contains in length in the north part thereof between the east and west sixteen feet and seven inches of assize and in length on the south part thereof between the east and west, fifteen feet and eight inches 20 of assize, and in breadth at the east end thereof, next Bridge Street aforesaid, ten feet six inches and a half of assize and in width at the west end thereof, between the north and south, nine feet and seven inches of assize, which same messuages, lands, and tenements, and other the premises with their appurtenances were lately in the aforesaid Henry Colet's, my father, and which by and after the death of the same Henry Colet to me the aforesaid John Colet by hereditary right did lately descend, and into all and singular which messuages, lands, and tenements, I the aforesaid John Colet, by hereditary right, did lately enter, and took thereof full and peaceable possession and seizin, and in my like possession they have hitherto continued, and of the same messuages, lands, and tenements, and other 30 the premises with their appurtenances at present I am solely seized in my demesne as of fee. I also the aforesaid John, do give and bequeath to the aforesaid wardens and commonalty of the Mystery aforesaid, all that my grammar school and the chapel founded in the same together with the house for the master and the other offices of the same school by me lately built and constructed upon my land lying next the wall of the churchyard of Saint Paul's, London, at the east part thereof, to wit, between the tenement of Alice Cruce, widow, on the south part, and the tenement late in the tenure of Andrew Renne on the north part, containing in length from south to north one hundred and twenty two feet of assize and in breadth from east to west thirty and three feet of 40 assize ; and moreover all that my grammar house or messuage lately called Paul's Scole, and four shops under the same house or messuage constructed, now in the tenure of William Berell, citizen and grocer of London, and Joan his wife, for a term of years, situate near Saint Austin's Gate, to wit, between the tenement appertaining to the masters or wardens of London Bridge, in which John Hychecock, citizen and merchant tailor of London, now dwells, on the east part and a certain great gate whose entry leads from the highway there to the

churchyard of the Cathedral Church aforesaid on the west part, containing in length from the aforesaid tenement unto the great gate aforesaid fifty five feet of assize and in breadth twenty feet of assize which I lately had by gift grant and confirmation of John Osyer, Benjamin Digby, and Simon Rice, citizens and mercers of the aforesaid city and in which at present I am solely seized in my demesne as of fee. And also I give those my two tenements or messuages, newly built with the appurtenances now in the tenure of John Evers, citizen and haberdasher of London, situate in the Old Change, London, between the tenement now in the tenure of Reginald Jewe, citizen and haberdasher of London on the south part and the tenement now in the tenure of the said John Evers on the north part, and they contain in length from south to north, twenty eight feet and four inches of assize, and in breadth from east to west eleven feet of assize which I lately purchased of the mayor and commonalty of the City of London and in which at present I am solely seized in like manner in my demesne as of fee; and moreover all those my six tenements with their appurtenances newly built, situate together in the parish of Saint George in Pudding Lane next East Cheap in the ward of Billingsgate, London, between the tenement of the said Dean and Chapter on the east part and the lane called Pudding Lane on the west part and the lane called Saint George's Lane on the south part, and the tenement of the

10 Mystery of Salters, London, called the Scalding House, of old time called Farmers' Hall on the north part; and the said six tenements contain by land in length on the south part thereof next the said lane called Saint George's Lane between the east and west, fifty eight feet and six inches of assize and in length on the north part thereof next the said tenement called le Scaldynghous east and west seventy feet of assize and in breadth at the west end thereof next Pudding Lane aforesaid thirty six feet and three inches of assize and in breadth at the east end thereof between the north and south twenty six feet and eight inches which same six tenements with their appurtenances were late the aforesaid Henry Colet's, my father, and which by and after the death of the same Henry Colet, to me the

20 aforesaid John Colet by hereditary right lately did descend and into all and singular which six tenements with their appurtenances I the aforesaid John Colet by hereditary right did lately enter and take full and peaceful possession and seizen thereof and in my like possession hitherto have continued and of the same six tenements with their appurtenances at present I am solely seized in my demesne as of fee. To have and to hold all the aforesaid messuages tenements houses shops and all and singular other the premises with their appurtenances to the aforesaid wardens and commonalty of the Mystery aforesaid and to their successors for ever of the chief lords of those fees by the services therefor due and of right accustomed for the continuation of the aforesaid grammar school lately as is

40 aforesaid by me in the churchyard of the said Cathedral Church of Saint Paul constructed for boys in the same school to be taught in good manners and literature and for the sustentation of one master and one usher or two ushers of the same school and to other works uses and intentions contained and specified or to be contained and specified in certain indentures between the aforesaid wardens and commonalty on the one part and me the aforesaid John Colet on the other part of and upon the premises amongst other things made or to be made. In witness whereof to this my present testament I have put my seal the day and

year above written, these being witnesses, Edward Sharnbroke, Nicholas Curlews, William Garrard, clerks, Nicholas Kyme, Benjamin Dygby, Simon Rice, citizens and mercers of London, Morgan Williams, notary public, William Gouldying, scrivener, William Bonreman, Bartholomew Barham, Thomas Odell, William Newbold, William Warmyngton, Henry Digby, my servants, and others.

[A.D. 1519.]

WILL OF DEAN COLLET PROVED IN THE PREROGATIVE COURT
OF CANTERBURY, "AYLOFFE" REGISTER FOL. 22.

EXTENDED TRANSCRIPT.

In Dei Nomine, Amen, the 22nd day of August in the year of our Lord God, 1519, I JOHN COLETT, Dean of the Cathedral Church of St. Paul in London, being of whole mind and memory, make and ordain this my present testament and last will of my goods movable, by reason whereof I revoke and renounce all other wills testaments and codicils whatsoever they be heretofore by me or by any other in my name made of the said goods movable, this to stand
10 firm and stable in manner and form following. First I bequeath my soul to God and to our Lord Christ Jesus, my body to the church of St. Paul aforesaid to be buried nigh unto the image of St. Wilgeforte where I made a little monument. As touching my burying and funerals with the circumstances thereof, I commit to the discretion of my executors hereafter named in the end of this my present testament. Item I bequeath to Edmond Knyvet, Esquire, sergeant-porter to our Sovereign Lord the King, £40 in money or in moneys worth to be paid to him as soon as it may be conveniently. Item I bequeath to John Colett, the son of William Colett my kinsman, forty pounds to be paid to him in like manner. Item to Master Doctor Aleyn the cup with the cover that
20 he gave unto me. Item I will that my master, Doctor Morgan, have my best gown with the hood, my best coat of chamlet furred with black bogy, and a vestment. Item I bequeath to Master John Banbrughe a silver pot, having on the ear written : John Colett ; my bed at Charterhouse that I lie upon myself with mattress and blankets to the same bed belonging and certain of my printed books called St. Jerome's works and others that may be conveniently given unto him. Item I will that Master Dancaster have in money to support him in his virtue Six pounds thirteen shillings and four pence. Item I bequeath to Sir Robert Hopwood a little goblet with a cover having a white rose in the top of the cover, a little square salt with a cover gilt, the which I bought of Master Lychfeld,
30 half a dozen silver spoons and a maser, over and above forty shillings by year for term of his life to be paid out of the Mercy of London according to their promise thereupon to me made. Item I will that Thomas Lupeshed, my scholar, be remembered after the discretion of my executors and to have all such books printed that may be most necessary for his learning. Item to Master William Garard a cup with a cover of silver and gilt, chased standing on a rose. Item to Master Nicholas Curlews a standing cup with a cover gilt with the morris-dance on it. Item to John Danet, my godson, a little silver pot having on the top "H" and "C" which his father gave me. Item to Bartholomew Barham, sometime

my servant, a silver pot having on the ear written : John Colett. Item the New Testament and other of my own making written in parchment, as Comments of Paul's Epistles and abbreviations, with many such other, I will shall be disposed at the disposition of my executors, which disposition I leave to my discretion, and all my books imprinted in paper I will also by them be disposed to poor students and specially to such as have been scholars with me. Item as touching my lodging at the Charterhouse I will that all board-work made of wainscot as tables trestles great coffers cupboards and all painted images upon the walls remain to that lodging *imperpetuum*; and all other stuff there besides afore rehearsed I will be disposed by the discretion of my executors. Item I will that 10 fifty pounds sterling be distributed amongst my household servants according to the tenour of a bill subscribed with my own hand over and above their wages, due at the quarter day after my decease. Item to William Bowrman five marks by year to be paid by the Mercers aforesaid during his life. Item I bequeath to Benjamin Dygby an ewer of silver and gilt. Item to Henry Dygby my little Primer covered with green velvet. Item I bequeath to the church of Chiswick a vestment of white damask. Item to the church of Sandon a vestment of green damask. Item to the church of Lambourne a vestment of baudekin with flowers. Item to the church of Bourne a vestment. Furthermore, where I the said John Colett all things above named hath given and bequeathed nevertheless if anything happen 20 or to my executors to whom I put my trust of any just cause be seen that the said bequests and legacies cannot be duly performed that then of the said legacies and bequests be made defalcation after the discretion of my said executors, in which thing I charge their conscience and discharge as the cause, from time to time, shall require. The residue of all my goods movable and immovable chattels and debts not bequeathed my debts paid and this my present testament fulfilled in manner and form as is afore rehearsed I give and bequeath unto my executors whom I name ordain and make, my mother Dame Cristian Colett Master William Garrard and Master Nicholas Curlews they to order and dispose them as they shall think best to the most comfort of them that hath need. In witness whereof I have subscribed 30 this testament with my own hand the day and year above written. These being witnesses of the same, Sir Robert Asheleyn, Subdean of the Church of [St.] Paul's, Sir John Rogers Almoner of the same, and Sir William Taillor, priest, with others. Hoc testamentum meum de bonis meis movientibus Ego Johannes Colett subscripsi et subsignavi mea manu propria die et anno supradictis.

In Dei Nomine, Amen. This is the testament and last will of me John Colett, Dean of the Cathedral Church of St. Paul in London, and son and heir of Sir Henry Colett, knight, made the 22nd day of August in the year of our Lord God One thousand five hundred and nineteen and in the 11th year of the reign of King Henry the Eighth. As to the disposition of all and singular my 40 manors messuages lands and tenements woods meadows leasows pastures moors marshes rents services and hereditaments hereunder written. First I will, if it happen me to decease out of this transitory world, living, Dame Cristian Colett shall have and enjoy to her and her assigns, during her life natural, all my messuages lands and tenements reversions and hereditaments in the town fields and parish of Wendover in the county of Bucks whereof I ever during my life or any other to my use or for the performance of my last will was seized of a state of

fee simple. Also all my manors of Weldon Denethorp Kirkby Dene Bulwick and Thirning with all the appurtenances in the counties of Northampton and Huntingdon which the said Sir Henry Colett my father purchased of Sir William Knyvet, knight. Also all my messuages tenements rents reversions and services meadows leasows marshes and pastures with all other rights commodities and appurtenances set and lying in the towns and fields of Great Weldon and Little Weldon in the county of Northampton which the said Sir Henry Colett my father purchased of Enseby Catesby and others. Also all my six messuages 200 acres of land, 40 acres of meadow, 20 acres of pasture, 20 acres of wood and 10s. rent with the appurtenances in Great Weldon and Little Weldon in the said county of Northampton which the said Sir Henry Colett my father purchased of Edward Comberford. And all my lands tenements woods leasows and pastures with their appurtenances in Kyrkby Deane and Bulwick in the county of Northampton which the said Sir Henry Colett my father purchased of Thomas Stok gentleman. Also the Manor of Thirning called Mullesworth Manor with the appurtenances and the advowson of the church of Thirning six messuages, 100 acres of land, 11 acres of meadow, 100 acres of pasture and 10s. of rent with the appurtenances in the said county of Huntingdon which the said Sir Henry Colett my father purchased of Thomas Mullesworth. Also my two messuages in the town of Thirning and 25 acres of land and meadow to the same messuages appertaining which the said Sir Henry Colett my father purchased of Thomas Heuson. Also my message with a curtilage in the same town of Thirning and half a yard and three acres of land to the same message appertaining with the appurtenances which the said Henry Colett my father purchased of Thomas Newman. Also all those my lands and tenements rents services wards marriages reliefs escheats pightels meadows leasows pastures moors and marsh with all other rights profits and commodities to the same lands and tenements belonging or appertaining in the towns fields and marsh of Clippesby Rollesby Brough,* Billoekby, Outeby, Reppes, Batewyk† Martham Askby and Thirne or elsewhere within the hundreds of Eastflegge and Westflegge in the county of Norfolk. Also I will that all such persons as shall happen to be feoffed and seized to my use the day of my decease in all the said manors lands and tenements and other the premises to the said Dame Cristian bequeathed or any parcel of them if the said Dame Cristian overlive me shall stand and be feoffed to the use of the same Dame Cristian during the life natural of the same Dame Cristian. Also I will that all such persons as shall happen [to be] feoffed and seized to my use and for the performance of my last will of and in all my said Manors of Weldon Denethorp Kirkby Dene Bulwick and Thirning in the counties of Northampton and Huntingdon with their appurtenances which were purchased of Sir William Knyvet, knight, immediately after the decease of me and the said Dame Cristian Colett, my mother, shall make estate unto Edmond Knyvet, Esquire, serjeant-porter to our Sovereign Lord the King of and in all the said manors with their members and appurtenances. To have and to hold all the same manors with all their members and appurtenances to the said Edmond Knyvet and to his heirs of his body lawfully begotten, and for default of such issue to remain to Christopher Knyvet brother to the said Edmond and to the heirs of the body of the same Christopher lawfully begotten; and for default of such issue of the said Christopher to remain to Anthony Knyvet, brother to

* Burgh.

† Bastwick.

the said Edmond and Christopher and the heirs of the body of the same Anthony lawfully begotten. Provided always that the said Edmond Knyvet his heirs or whosoever shall fortune to have the said Manors of Weldon and other the premises by devise of this my present will or otherwise shall truly pay or cause to be paid yearly unto William Newbold my servant during his life natural an annual rent of 40/- according to [the] tenour form and effect of a deed by me to him thereof made bearing date the 12th day of May in the 11th year of the reign of King Henry the Eighth. Also I will that all such persons as shall happen to be feoffed and seized to my use and for the performance of my last will of and in all my messuages tenements rents reversions and services meadows leasows marshes and 10
pastures with all other rights commodities and appurtenances set and lying in the town and fields of Great Weldon and Little Weldon in the said county of Northampton which the said Sir Henry Colett my father purchased of the said Enseby Catesby and other and of and in my said six messuages, 200 acres of land, 40 acres [of] meadow, 20 acres of pasture, 20 acres of wood and 10/- rent with the appurtenances in Great Weldon and Little Weldon in the said county of Northampton which the said Sir Henry Colett my father purchased of the said Edward Comberforde, and of and in all my said lands and tenements woods leasows and pastures with their appurtenances in Kirkby Dene and Bulwick in the said county of Northampton which the said Sir Henry Colett my father purchased of the said Thomas Stoke, 20
gentleman, and of and in all my said manor of Thirning called Mullesworth Manor with the appurtenances, and the advowson of the Church of Thirning, six messuages, 100 acres of land, 12 acres of meadow, 100 acres of pasture, and 10/- of rent with the appurtenances in Thirning in the said county of Huntingdon which the said Sir Henry Colett my father purchased of the said Thomas Mullesworth, and of and in my said two messuages in the same town of Thirning and 25 acres of land and meadow to the same messuages appertaining which the said Sir Henry Colett my father purchased of the said Thomas Heuson and of and in my said messuage with a curtilage in the same town of Thirning and half a yard and three acres of land to the same messuage appertaining with the 30
appurtenances which the said Sir Henry Colett my father purchased of the said Thomas Newman, immediately after the decease of me and of the said Dame Cristian Colett, my mother, shall make estate to the said Christopher Knyvet of and in all my said messuages tenements rents reversions and services meadows leasows marshes and pastures with all other rights commodities and profits with the appurtenances set and lying in the towns and fields of Great Weldon and Little Weldon in the said county of Northampton purchased of the said Enseby Catesby and others, and of and in my said six messuages, 200 acres of land, 40 acres of meadow, 20 acres of pasture, 20 acres of wood, and 10/- of rent with the appurtenances in Great Weldon and Little Weldon in the same county of 40
Northampton purchased of the said Edward Comberford and of and in all my said lands tenements woods leasows and pastures with their appurtenances in Kirkby Dene and Bulwick in the same county of Northampton purchased of the same Thomas Stok, and of and in all my said Manor of Thirning called Mullesworth Manor with the appurtenances and the advowson of the church of Thirning, six messuages, 100 acres of land, 12 acres [of] meadow, 100 acres [of] pasture, and 10/- of rent, with the appurtenances in Thirning in the said county of

Huntingdon purchased of the said Thomas Mullesworth, and of and in the said two messuages in the same town of Thirning and 25 acres of land and meadow to the same messuage appertaining with the appurtenances purchased of the same Thomas Heuson, and of and in my said messuage with a curtilage in the same town of Thirning and half a yard and three acres of land to the same messuage appertaining with the appurtenances purchased of the said Thomas Newman. To have and to hold all the same messuages manor lands tenements woods meadows marshes leasows pastures rents services and reversions with all and singular the premises and appurtenances to the said Christopher Knyvet and to his heirs of his body lawfully begotten. And for default of such issue to remain to the said Edmond Knyvet and to the heirs of his body lawfully begotten. And for default of such issue to remain to the said Anthony Knyvet and to the heirs of his body lawfully begotten. Also I will that all such persons as shall happen to be seized to my use and for the performance of my last will of and in all my said messuages shops lands tenements woods meadows leasows pastures rents services and reversions with their appurtenances in the said town fields and parish of Wendover in the said county of Buckingham immediately after the decease of me and of the said Dame Cristian Colett, my mother, shall make estate to John Colett, the son of William Colett of Wendover of and in all my said messuages shops lands tenements woods meadows leasows pastures rents services and reversions with their appurtenances in the same town fields and parish of Wendover whereof I during my life or any other to my use was seized of any estate of fee simple. To have and to hold all the same messuages shops lands woods meadows leasows pastures rents services and reversions with their appurtenances to the said John Colett and to his heirs and assigns for ever. Also I will that all such persons as shall happen to be feoffed and seized to my use of and for the performance of my will of and in all those my said lands and tenements rents services wards marriages reliefs escheats pightels meadows leasows pastures moors [and] marshes with all other rights profits and commodities to the same lands and tenements and other the premises belonging or appertaining in the towns fields and marshes of Clippesby Rollesby Brough Billocksby Outeby Repps Batewyk Martham Askeby and Thirne or elsewhere within the hundred of Eastflegge and Westflegge in the said county of Norfolk, immediately after the decease of me and of the said Dame Cristian Colett, my mother, shall make estate to John Neele, my servant, of and in all my said lands and tenements rents services wards marriages reliefs escheats pightells meadows leasows pastures moors marsh with all other rights profits and commodities to the same lands and tenements and other the premises belonging or appertaining in the said towns fields and marsh of Clippesby Rollesby Brough Billocksby Outeby Repps Batewyk Martham Askby and Thirne or elsewhere within the said hundreds of Eastflegge and Westflegge in the said county of Norfolk. To have and to hold all the same lands and tenements with all and singular the premises and appurtenances to the said John Neele and to his heirs and assigns for ever. Also I will that all such persons as shall happen to be feoffed and seized to my use and for the performance of my last will of and in all those my seven acres of pasture and four acres of land in the parish of Stepney in the county of Middlesex which the said Sir Henry

Colett my father purchased of Edmond Radcliffe, immediately after the decease of me and of the said Dame Cristian Colett, my mother, shall make estate to William Bowrman my servant, of and in all the same seven acres of pasture and four acres of land. To have and to hold all the said seven acres of pasture and four acres of land to the said William Bowrman and to his heirs and assigns for ever. In witness whereof to this my present testament and last will concerning my manors messuages lands and tenements and other the premises I have set my seal and the same subscribed with my own hand the day and year aforewritten. These bearing witness and testimony to the same : Benjamin Dygby, mercer of London, Sir William Tailor, Sir Robert Hopwood, priests and others. 10

Hoc testamentum meum Ego Johannes Colett subscripsi mea manu propria et sigillo die et anno supradictis. Exhibitum per magistros Willielmum Garard et Nicholaum Curlews executores infrascriptos quinto die mensis Octobris anno Domini millesimo quingentesimo decimo nono pro vero integro et ultimo testamento ac ultima voluntate ipsius defuncti excepto quod ut asseruerint dominus Robertus Astelyn et dominus Johannes Rogers capellani nominati pro testibus in fine testamenti non fuerunt presentes tempore quo testator hujusmodi testamentum suum subscripsit et sua manu propria subsignavit pro eo quod tunc tempore abfuerunt quos executores dominus oneravit juramento tactis scripturis sacrosanctis etc. de conficiendo fidele inventorium etc. et exhibendo idem inventorium confectum 20
citra festum Animarum proximum vel in eo et solverunt 12s. 4d. unde dominus Commissarius habet nobile et Lynd habet 20d. per Lane.

Tertio die mensis Novembris anno Domini millesimo quingentesimo decimo nono commissa fuit administratio Magistris Willielmo Garrard et Nicholao Curlews executoribus etc. Domina Cristiana Colett executrice etc. onus executionis ejusdem in se assumere expresse refutante ut liquet per instrumentum inde confectum per Johannem Neele notarium publicum et per executores tempore approbationis dicti testamenti exhibitum.

The lettering on the back of the original work in the British Museum
is as follows :—

COLETI
CATECHISMUS

W de Worde 1534.



IOANNIS

COLETI THEOLOGI, OLIM

decani divi Pauli ædi-

tio, unà cum qui-

busdam G

Lilij

Grammatices rudi-

mentis.

• •

10

G. Lilij Epigramma,

Pocula s linguæ cupias gustare latinæ,

Quale tibi monstret, ecce Coletus iter.

Non per caucaseos montes, aut summa pyrenes.

Te ista per Hybleos sed via ducit agros.

Londini, in ædibus Wynandi
de Worde. Anno M.D.

XXXIII.

• •

THE mayster shal reherce these artycles to them that offer theyr chyl dren on this wyse here folowyng :

If your chylde can rede and wryte latyn and Englysshe suffyciently, so that he be able to rede and wryte his owne lessons, than he shall be admyttel in to the schole for a scholer.

If your chylde, after reasonable season proved, be found here unapte and unable to lernynge, then ye, warned thereof, shall take hym away, that he occupye not here rowme in vayne.

If he be apte to lerne, ye shalbe content that he contynue here, tyll he have
10 some competent literature.

If he be absent vi dayes & in that meane season ye shewe not cause resonable (resonable cause is alonely sycknesse) than this rowme to be voyde without he be admytted agayne and pay *iiiiid*.

Also, after cause shewed, if he contynue so absent tyll the weke of admissyon in the next quarter, and than ye shewe not the contynuance of his sicknesse, than his rowme to be voyde, and he none of the schole tyll he be admytted agayne & paye *iiiiid* for wrytyng of his name.

Also if he fall thyrse in to absence, he shal be admytted no more.

Your chylde shall on chyldernas daye wayte upon the bysshop at Powles
20 and offer there.

Also ye shall fynde hym waxe in wynter.

Also ye shall fynde hym convenient bokes to his lernynge.

If the offerer be content with these artycles, then let his chylde be admytted.

Galat, quinto.

Valet in christo Jesu fides, quæ per
dilectionem operatur.

Fides.

The Artycles of the faythe.

30	I Byleve in god the father almyghty creatour.	...	...	...	i.
	of heven and of erth, And in his sonne.	...	...	...	ii.
	Jesu christ our lord. Whiche was conceived by the holy goost, and borne of the clene virgyn Mary.	...	...	...	iii.
	whiche suffred under Poncio Pylato, and was crucifyed, and dyed, and was buried, and disceded to hell.	...	...	...	iiii.
	whiche rose agayne the thyrde daye from dethe to lyfe...	...	...	...	v.
	whiche ascended in to heven, and sytteth at the ryght hande of the father almyghty.	...	...	...	vi.
	whiche shall come agayne, and judge bothe quyeke and deed.	...	...	...	vii.
	And I byleve in the holy goost the holy spiryte of god.	...	...	...	viii.

I byleve the holy chyrche of chryst, which is the clene congregacyon of
 faythfull people in grace, and comunyon of sayntes onely in
 Chryste Jesu. ix.
 I byleve that in the chyrche of Chryst is remyssyon of synnes, bothe by bap-
 tyme, and by penaunce.
 I byleve after this lyfe resurrection of our deed bodyes.
 I byleve at the last everlastyng lyfe of body and soule.

Amen.

The seven sacramentes.

I BYLEVE also that by the seven sacramentes of the chyrche cometh great 10
 grace to all them that take them accordyngly.
 By gracyous ordre is gyven power to mynyster in god. i.
 By gracyous matrimony we be borne into this worlde to god. ii.
 By gracyous baptym we be borne agayne the sonnes of god. iii.
 By gracyous confirmacyon we be stablyshed in the grace of god. iv.
 By gracyous Eucharistye, where is the very presence of the persone of
 Chryste under forme of breed, we be nouryshe l spirytually in god. v.
 By gracyous penaunce we ryse agayne from synne to god. vi.
 By gracyous Enealyng and the laste anoyntyng, we be in our
 dethe commended to god. vii. 20

Charyte.

The love of god.

In trewe byleve I shall fyrste love god the father almyghty that made me,
 and our lorde Jesu Chryste that redeemed me, and the holy goost that alway
 inspireth me, this blessed holy trinite I shall alway love and honour and serve
 with all my herte, mynde, and strength, and fere god alonely, and put my trust in
 hym alonely.

The love of thyne owne selfe.

Seconde. I shal love my selfe to god warde and shall abstayne from all synne
 as moche as I may, specyally from the synnes deedly. 30

I shall not be prowde, nor envyous, nor wrothfull.

I shall not be glotinous, nor lecherous, nor slouthfull.

I shal not be covetous, desiring superfluite of worldly thynges. And yvell
 company I shall eschewe, & flye as moche as I may.

I shall gyve me to grace and vertue, and comynge in god. I shall pray
 often, specially on the holy dayes. I shall lyve alway temperatly and sobre of my
 mouthe.

I shal faste the dayes commaunded in Christe's chyrche I shal kepe my
 mynde from yvell & foule thoughtes. I shal kepe my mouth from swearyng
 lyenge & foule spekyng. I shal kepe my handes from stelyng and pykyng; 40
 thynges taken away I shall restore agayn. Thynges founde I shall rendre agayne.

The love of thy neyghbour.

Thyrde. I shal love my neyghbour, that is every man to godwarde, as my

owne selfe. And shall helpe hym in all necessarytes spyritually and bodyly, as I wolde be holpen my owne selfe, specially my father and my moder, that brought me in to this worlde. The mayster that teacheth me I shall honour and obey. My felowes that lerne with me I shal love

Penaunce.

If I fall to synne I shall anone ryse agayne by penaunce, and pure confessyon.

Houslynge.

As often as I shall receyve my lorde in sacrament, I shall with all study
10 dispose me to pure clenlynesse and devocyon.

In Sycknesse.

Whan I shall dye I shal call for the sacramentes and rightes of Chryste's church by tymes, & be confessed and receyve my lorde and redemer Jesu Chryst.

In dethe.

And in peryll of dethe I shal gladly call to be enealed and so armed in god I shal departe to hym in truste of his mercy in our lorde Chryst Jesu.

Hoc fac & vives.

Preceptes of lyvynge.

20 Fear God
Love god
Desyre to be with hym
Serve hym dayly with
some prayer
Bridle the affectyons
of thy mynde
Subdue thy sensuall
appetytes
Thrust downe pryde
Refrayne thy wrathe
30 Forget trespasses
Forgive gladly
Chastyse thy body
Be sobre of thy mouth
Be sobre of meet & drinke
Be sobre in talkynge
Flye swearynge
Flye foule language
Love clenlyness & chastyte
Use honest company

Byleve & trust Christ Jesu
worshyp hym and his mother Mary
Call often for grace of the
holy goost
Love peace and equityte
Thynke on dethe
Drede the judgement of god
Trust in godde mercy
Be alway well occupyed
Lose notyme
Stand in grace
Fallyng downe, despayre not
Evertake afresh newe
good purpose
Persever constantly
Use oft tymes confessyon
Wasshe cleane
Sorrowe for thy synnes
Aske often mercy
Be no slogarde

Beware of ryot
 Dispende mesurably
 Flye dishonesty
 Be true in worde & dede
 Reverende thyne elders
 Obey thy superyours
 Be felowe to thyne equales
 Be benygne and lovyng
 to thyne inferyours
 Love all men in God

Awake quyeckly
 Enryche the with vertue
 Lerne dyligently
 Teeche that thou hast lerned
 lovyngly

By this way thou shalte
 come to grace and to glory
 Amen.

10

SIMBOLUM APOSTOLORUM

Credo in deum patrem omnipotentem, creatorem cœli & terræ	...	...	1
Et in Jesum Christum, filium ejus unicum, dominum nostrum	...	...	2
Qui conceptus est de spiritu sancto, natus ex Maria vergine	...	...	3
Passus sub Pontio Pylato, crucifixus, mortuus & sepultus, descendit ad	...	...	4
infernā	...	...	5
Tertia die resurrexit a mortuis	...	...	6
Ascendit ad celos, sedet ad dexteram dei patris omnipotentis	...	...	7
Inde venturus est judicare vivos & mortuos	...	...	8
Credo in spiritum sanctum	...	...	9
Sanctam ecclesiam catholicam sanctorum communionem	...	...	10
Remissionem peccatorum...	...	...	11
Carnis resurrectionem	...	...	12
Et vitam æternam Amen.	...	...	13

ORATIO DOMINICA

Pater noster, qui es in cœlis, sanctificetur nomen tuum	...	...	...	1
Adveniat regnum tuum	...	...	...	2
Fiat voluntas tua, sicut in cœlo & in terra	...	...	...	3
Panem nostrum quotidianum da nobis hodie	...	...	...	4
Et dimitte nobis debita nostra, sicut etiam nos dimittimus debitoribus nostris	...	...	...	5
Et ne nos inducas in tentationem	...	...	...	6
Sed libera nos a malo. Amen	...	...	...	7

SALUTATIO ANGELICA

Ave Maria gratia plena dominus tecum.

Benedicta tu in mulieribus, & benedictus fructus ventris tui JESUS. Oremus.

Sancta Maria, virgo & mater Jesu age cum filio tuo, ut hæc schola quotidie proficiat in ipso, utque omnes pueri in eadem discant ipsum, & erudiantur in ipso, tandem ut perfecti filii Dei fiant per ipsum. Et tu quoque Jesu benignissime age cum patre tuo, & patre nostro, ut gratia sui spiritus nos suos filiolos faciat, sic te Jesu discere, & imitari in hoc seculo, ut una tecum fœliciter regnemus in futuro. Amen.

40

Oratiuncula ad puerum Jesum Scholæ præsidem.

M¹ domine Jesu suavissime, qui puer adhuc anno ætatis tuæ duodecimo in Hierosolymitano templo inter doctores illos sic disputasti, ut stupefacti universi tuam superexcellentem sapientiam admirarentur, te quæso, ut in hac tua schola, cui præes, & patrocinaris, eam quotidie discam, & literaturam, & sapientiam, qua possim in primis te Jesu, qui es ipsa vera sapientia cognoscere deinde cognitum eundem te colere, & imitari, atque in hac brevi vita sic ambulare in via doctrinæ tuæ sequax vestigiorum tuorum, ut quo pervenisti ipse ad aliquam ejus gloriæ partem decedens ex hac luce, possim ego quoque tua gratia feliciter
 10 pervenire. Amen.

JO. Colet, suo Lilio, Salutem.

Accipe optime ac literatissime Lili libellum puerilis institutionis, in quo quidem eadem, quæ fuerunt ab aliis tradita, ratione, & ordine paulo (ni fallor) commodiore digessimus. Idque fecimus ut elementa grammatices, & fœlicius influerent in puerorum animos, & tenacius inhærent. Tuum erit qui primus es hujus novæ Pauli scholæ præceptor, his rudimentis diligenter exercere pueros nostros, deinceps ad majora profecturos. Nihil enim æque mihi cordi est in præsentia quam ut parvuli Christi quamplurimum apud te proficiant, cum literatura tum bonis moribus, ad quod si eniteris, & JESUM puerorum præsidem
 20 tibi tuo studio demereberis, & me plane fœlicem reddideris. Vale ex ædibus meis Calen. Augu. An. MDX.

A lytell proheme to the booke.

Albeit many have wryten, and have made certayne introducyons into latyn speche, called Donates, & Accidens in latyn tongue & in englysshe in suche plenty that it shulde seme to suffyse, yet never the lesse for the love and zeale that I have unto the newe schoole of Powles, and to the children of the same, somewhat I have also compyled of the mater, & of the viii partes of grammer have made this lytell boke, not thynkyng that I coude say anything better than hath
 30 be sayd before, but I toke this besynesse havynge great pleasure to shewe the testimony of my good mynde unto that schole. In whiche lytell warke if any newe thynges be of me, it is alonely that I have put these partes in a more clere ordre, and have made them a lytell more easy to yonge wyttes, than (me thynketh) they were before. Judgyng that nothyng may be to softe, nor to famylier for lytell chyldren. specyally lernynge a tongue unto them all straunge. In whiche lytell boke I have lefte many thynges out, of purpose, consyderynge the tendernesse and small capacitye of lytell myndes. And that I have spoken also I have affirmed
 40 it none otherwyse, but as it happeth most communely in latyn tongue. For many be the excepeyons, and harde it is anythyng generally to assure in a speche so various. I praye God al may be to his honour, and to the erudycion and profyte of chyldren, my countrey men Londoners specially, whom dygestynge this lytell werke I had alway before myne eyen, consyderynge more what was for them, than to shewe any great connyng, wyllynge to speke the thynges often before spoken, in suche manner as gladly yonge begynners and tender wyttes myght take and conceyve. Wherefore I pray you all lytell babes, all lytell chyldren lerne gladly this lytell treatyse, and commende it dyligently unto your

memoryes, trustynge of this begynnynge that ye shall procede, and growe to perfyte lyterature and come at the laste to be great clerkes. And lyfte up your lytell whyte handes for me, whiche prayeth for you to god, to whome be all honour and imperiall majesty and glory

AMEN.

PROLOGI FINIS.

An introductyon of the partes of spe=
=kyng for chyldren & yonge begyn=
ners in to latyn speche.

[Here follows the accidence]

10

Explicit Coleti æditio.

[The rest of the volume consists of Lily's Rudiments of Grammar.]

AMENDED ORDINANCES BY THE WARDENS AND ASSISTANTS
OF THE MERCERS' COMPANY, 24TH JUNE, 1602.

Vicesimo quarto die
Junii, anno Domini, 1602.

Mr. THOMAS BENNETT,	<i>Alderman.</i>	
Mr. WILLIAM HIGGS,		} <i>Wardens.</i>
Mr. ANTHONY CULVERWELL,		
Mr. THOMAS HORTON,		
Mr. HENRY ROWE,	<i>Alderman.</i>	
Mr. EDMOND HOGAN,		} <i>Assistants.</i>
Mr. WILLIAM LUCAS,		
Mr. JOHN CASTELIN,		
Mr. WILLIAM WALTHALL,		
Mr. JOHN GARDNER,		
Mr. JOHN NEWTON,		
Mr. JAMES ELWICK,		
Mr. WILLIAM FERRERS,		
Mr. HENRY PEYTON,		
Mr. ROGER HOWE,		

20 Whereas JOHN COLET, Deane of the Cathedral Church of St. Paul in
London, hath nominated and appointed us, the Master, Wardens and Assistants
of the Company of the Mercers of the City of London, to be patrons and governors
of Paul's School, by him erected and founded And for the better ordering thereof
hath made certain laws and ordinances in a book under his own hand and hath,
amongst other things, thereby given authority unto us the said wardens and
assistants with such other learned counsel as we shall call unto us to add and
diminish unto the said laws and ordinances and to supply in them every defect,
and also to expound and declare such of the said ordinances which shall seem
30 obscure and doubtful as time and place and just occasion shall require. Now
forasmuch as of late, scruple and doubt hath been made upon sundry the
said ordinances, about the right understanding thereof, whereby great suit and
controversy hath arisen and been between us and the late high school master of
Paul's School, John Harrison, with the surmaster and usher, to our great charge,
vexation, and trouble And for that some of the said ordinances are thought fit
to be altered, and some defects therein likewise to be supplied; therefore, for
avoiding further inconvenience hereafter, we the said Master, Wardens, and
Assistants, with the advice and counsel of Thomas Fleminge, Esquire, Serjeant-
at-law and Solicitor-General to our Sovereign Lady the Queen's most excellent
40 Majesty that now is, and Thomas Foster, Esquire, Councillor-at-law, well
lettered and learned men, being called thereunto, Do now ordain and further
make explanation of the said laws and ordinances as hereafter followeth, viz.:—

Inprimis. Whereas by an ordinance under this title, viz.:—*Capitulum*

primum de Magistro Primario, it is ordained and provided that the Master every year at Candlemas, when the Mercers be assembled in the school-house, shall submit him to their examination, and found doing his duty, to continue; otherwise, reasonably warned, to depart. We do ordain and declare that the said ordinance shall from henceforth be expounded and understood that the Mercers, that is to say, the Master, Wardens, and Assistants of the Mystery of Mercers in London, or the more part of them, then assembled in the school house, shall then and there, yearly, have full power to examine the high master touching the profiting of the scholars in literature and good manners, his demeanour and conversation, and the due observation of the founder's ordinances. And that the high master shall not only submit himself to such examination but also yearly, at the same time, yield and resign up his place into their hands, as was used in the lifetime of the founder, to their predecessors. And if the master shall then by the approbation of the said Master, Wardens, and Assistants of the said Mystery of Mercers or the most part of them, be found to have done his duty, he shall continue; otherwise in case he shall then, by their judgments, be found defective, within six months next after warninge to him given by the said Master, Wardens, and Assistants, or the most part of them, he shall quietly depart. 10

Item we do ordain that the surmaster and usher, yearly, about Candlemas, when the said Master, Wardens, and Assistants of the Mercers, or the most part of them, be assembled in the school as aforesaid, shall resign their places into the hands of the said Master, Wardens, and Assistants, of the Mercerie there assembled, and being then found to have done their duties, they shall continue; otherwise, within six months after warning given, they shall quietly depart. 20

Further, whereas there are other statutes under these titles, viz.—*Capitulum primum de Magistro Primario*, the surmaster and the chaplain, that they shall have yearly, livery gowns of four nobles delivered unto them in cloth. We do ordain that the said Master, surmaster, and usher (instead of the chaplain) shall have the said liveries in cloth or four nobles apiece yearly, in money, in lieu of the said cloth, or such further allowance in money as the Master Wardens and Assistants of the Mercers for the time being, or the most part of them, shall think fit. 30

Further, whereas there are other statutes under these titles, viz.—“Of both masters at once,” and “The Children”; that a poor child to be appointed by the master, shall sweep the school and the leads, and call upon the Mercers from time to time for necessary reparations, and that the said poor child shall have four pence at the admission of every scholar and the avails of the scholars' urine. We do ordain that from henceforth some poor scholar or poor man to be appointed from time to time by the high master, shall do the same business and shall have such allowance and avails for his labour as are limited to the poor child by the founder. 40

Further, whereas there is a statute under this title, viz.:—“The Chaplain”; that there shall be a priest or chaplain to sing mass daily in the chapel of the school and to pray that the children may prosper in good life and good literature to the honour of God and our Lord Christ Jesus, and that the same priest shall teach in the school if it shall seem good to the high master. We do now ordain and establish that there shall be from henceforth an under-usher instead of the

said priest, which shall teach in the school by the direction of the high master, and shall be chosen from time to time by the Master, Wardens, and Assistants of the Mercery, or the most part of them, for the time being, and continue there so long time as the said Master, Wardens, and Assistants, or the most part of them, for the time being shall think fit. And we do further ordain that no other prayers or ceremonies shall be used in the school, but such only as the laws and statutes of this realm of England, for the time being, do or shall permit and allow.

Further, whereas in another ordinance under this title, viz.:—"The Children," it is said that a child at the first admission, once for ever, shall pay 4*d.* for writing of his name. This ordinance shall be expounded that every child that shall be admitted to be taught in the said school, shall have his teaching free during all the time of his continuance there until his departure, without any further charge to be imposed upon him or his friends by the high master, surmaster and usher, or any of them, over and above 4*d.* at his first admission, to the poor scholar or poor man of the school as aforesaid.

Further, whereas by another ordinance under the said title, viz.: "the Children," it is provided that the children shall come unto the school in the morning at seven of the clock, both winter and summer, and tarry until 11, and return again at one of the clock and depart at five. We do ordain that the high master, surmaster, and usher, shall be tied to the same hours. And in case they or any of them shall be absent from the school—over and above thirty days in one whole year to be taken *conjunctim* or *divisim* by the high master, and without the licence of the surveyors and high master by the surmaster, and without the consent and licence of the surveyors for the time being by the usher—that then for every such absence contrary to the limitation aforesaid, the said master surmaster and usher shall forfeit and pay so often as they or any of them shall offend contrary to the form aforesaid the sum of 6*s.* 8*d.* for every whole day and 12*d.* for every hour that they or any of them respectively shall be absent from the said school more than the said thirty days as aforesaid; the same penalties to be "defalked" out of his or their wages respectively which shall offend.

Item whereas it is ordained in the title, viz.:—"the Mercers," that in the day of the giving up of the surveyor's account there shall be a little dinner not exceeding the price of four nobles. Forasmuch as divers learned men are usually there at that time to appose the scholars for the better information of the said Master, Wardens, and Assistants, of the profiting of the scholars in learning And for that the Assistants are now many in number, and for that the rates and prices of victuals are now grown very great in respect the same were at that time of the making of the same ordinance. We therefore do ordain that from henceforth so much shall be allowed towards the same dinner as the Master, Wardens, and Assistants of the Mercery, or the more part of them, for the time being, shall in their discretions think fit, so as the same be expended in frugal manner without excess.

Further, whereas in the same title, viz.:—"the Mercers," there is this *caveat*:—that the lands of the school should not be let but by the space of five years. It is now found by experience very prejudicial and not for the best benefit of the school to let out the lands thereof for so short a time. We do, therefore, ordain

and establish that from henceforth it shall be lawful to the Master, Wardens, and Assistants of the Mercery, or the more part of them, and their successors, for or in respect of new buildings upon any of the lands to be leased respectively or repairing of the same, or for the better manurance and bettering of the same and continuing the same together in one hand, and in heart and strength, or any such like good and valuable consideration to demise any of the lands or tenements appertaining to the same school, heretofore usually demised by lease and not by copy of court roll, as they and their successors shall from time to time in their wisdoms and discretions think to be for the most benefit of the school ; so as the same lease or leases be made with reasonable conditions and covenants on the lessee, his executors, administrators, and assigns their part to be performed ; and so as the same lease or leases do not exceed one-and-twenty years ; and so as the same lease or leases be made in possession and not in reversion ; and so as the same be not without impeachment of waste ; and so as the yearly rents of the same be not diminished but increased, if conveniently and reasonably the same may be. 10

Further, whereas by the said ordinances the founder doth limit and appoint salaries and fees to the high master, surmaster and others as followeth, viz. : to the high master thirteen shillings four pence a week ; to the surmaster six shillings eight pence a week ; to the chaplain, eight pounds a year ; to the Master and Wardens of the Mercers, one-and-twenty shillings eight pence per annum ; to the Surveyors four pounds per annum ; to the said Surveyors for visiting the lands, four pounds per annum if they ride ; to the steward, forty shillings per annum ; to the clerk of the Mercers three shillings four pence per annum ; to the renter of the school, three and thirty shillings four pence per annum ; to the bailiffs, forty shillings per annum. 20

Forasmuch as the lands and tenements belonging to the school do now yield double so much rent as they did in the founder's lifetime, and for that all things necessary are now grown to a far dearer rate than they were at the first foundation of the school, we do therefore ordain, and establish that as well the salaries and fees appointed to the schoolmaster, usher and chaplain, as all other the fees before mentioned, appointed to be paid by the founder, shall from henceforth be doubled according to the improvement of the rents aforesaid ; the same increase of salaries and fees to continue, until such time as the master, wardens, and assistants of the Mercery, or the more part of them, assembled in the school house, shall, by reason of the fall of rents or other just considerations be occasioned to abate the same. 30

Item, whereas there is an ordinance in the same title, viz. :—the “Mercers,” that the surplusage of money which shall remain upon every account shall be put into an iron chest standing in the Mercers Hall and there remain from year to year, apart by itself, that it might appear how the school by their own self maintaineth itself. It is now ordained that the same surplusage or such part thereof as the Master, Wardens, and Assistants of the Mercery and their successors shall think fit, shall from henceforth be employed either in exhibitions to poor scholars proceeding from Paul's School to the Universities, or in fellowships ; or else lent out to poor young men of the said Company of Mercers, upon good 40

security, at the peril of the said Mercers, for the repayment thereof ; as to the said Master, Wardens, and Assistants, or the more part of them, shall from time to time be thought most necessary for the good of the school.

Finally, we ordain and establish that forasmuch as in the making of these ordinances and explanations the chief care of the parties called hereunto was and is to have the true intent and meaning of the founder duly executed and performed in all things as time, place, and occasion doth or shall permit or require, That therefore all acts, ordinances, and explanations heretofore made (if any such be) other than by the said founder himself, shall from henceforth be utterly void and
 10 of none effect.

THO. FLEMING.
 T. FOSTER.

Endowed Schools Commission,
2 Victoria Street, S.W., 17th October, 1873.

St. Paul's School.

SIR,—The Commissioners instruct me to call your attention to my letter to you of the 13th and your reply of the 15th of November 1872, and to request that they may be informed whether the Company have any suggestions for a new Scheme for this endowment which they desire to bring before the Commissioners.

I am, Sir,

Your obedient servant,

10

D. C. RICHMOND.

H. E. BARNES, Esq.

Mercers' Hall, E.C.

Mercers' Hall,

31st October, 1873.

St. Paul's School.

SIR,—I am directed by the Court of Assistants of the Mercers' Company to acknowledge the receipt of your letter of the 17th inst. which has had the careful consideration of the Court. The Master of the Company is desirous of conferring with the Commissioner who has charge of the matter, and has desired me to request that the Commissioner will name an early day for an interview.

I am, Sir,

Yours obediently,

H. E. BARNES.

D. C. RICHMOND, Esq.

Secretary, Endowed Schools Commission.

2 Victoria Street, S.W.

[4th November, 1873.]

ST. PAUL'S SCHOOL.

STATEMENT OF INTERVIEW of the Master with the Endowed Schools Commissioners
on the 4th November 1873.

In accordance with the resolution of the Court of Assistants of the 31st of October I directed the Clerk to write to the Endowed Schools Commissioners stating that I should be glad to have an interview with the Commissioner who has charge of the matter of St. Paul's School and on the 4th instant I attended at the Office of the Commission with Mr. John Watney Junior the Company's Solicitor. I was received by Lord Lyttelton and Mr. Roby, the Secretary of the Commission 10 being present.

I stated to the Commissioners at the commencement of the interview that the Court of Assistants of the Company having had the management of the School in their hands for upwards of 350 years were very much interested in the welfare of the School and had for many years given their most earnest attention to its future management. That the Court were most anxious to co-operate with the Commissioners in furthering a Scheme for the enlargement of the Charity but that they felt very strongly that the intentions of the Founder as set forth in his ordinances should be respected.

The Commissioners appeared most anxious to meet the views of the Company 20 and Lord Lyttelton stated that he was quite willing to respect the Founder's ordinances but that he did not think there would be much difficulty in dealing with the endowment as Dean Colet did not tie down his Trustees to words or subjects and there were no local or other interests in the way as was often the case with similar foundations.

Lord Lyttelton said that the Commissioners would send heads of a Scheme to the Company in the first instance as a private and confidential communication so that they might be the subject of negotiations between the Company and the Commissioners before the Scheme proposed by the Commissioners was published.

The Commissioners said they were desirous to give the Company every 30 opportunity of stating their views, that they understood the Company were unable to submit a Scheme within the time limited by the Endowed Schools Act owing to the then pending litigation between them and the Attorney-General and therefore that they (the Commissioners) were willing, so far as they could, to put the Company in the same position as if they had submitted a Scheme of their own in due time.

For reasons which will appear presently I did not think it desirable in the present stage to submit to the Commissioners the suggestions which have been recently approved by the Court.

The first and second heads were very slightly touched upon, but I stated to 40 the Commissioners, as I have before said, that the Court were most anxious that the wishes of the Founder should be respected in these points.

The Commissioners thought that in addition to a thorough Latin and Greek education, modern languages and physical science and also drawing and music

should be taught, but they seemed disposed to leave the question of education very much to the discretion of the Governors to be appointed under the Scheme.

The removal of the School from its present site was discussed, and the Commissioners and especially Lord Lyttelton laid very great stress on the importance of devoting a part of the endowment to the foundation and support of a School for Girls. His Lordship was willing to sanction the removal of the School from St. Paul's Churchyard but Mr. Roby hesitated saying that there would be plenty of room in the present School if the Masters' houses were thrown into it. But he said further that if the Company did not object and if there
 10 was no pressure from without the Commissioners would probably see no objection to the removal. The conversation then turned on the number of Schools to be founded and it was suggested that there should be two Schools for boys and one for girls and Kensington and the North of London were suggested as sites for the two Boys' Schools.

There appeared to be no objection to the number of the foundationers being fixed at 153 and it was suggested that there might be 51 foundationers in each of the three Schools and that vacancies among the foundationers should be filled up on account of the merit either moral or intellectual of the boys themselves without reference to the means of their parents.

The Commissioners differed as to the advisability of permitting boarders
 20 Lord Lyttelton expressing himself in favour of boarders to a limited extent as for instance one-seventh of the whole number of boys in the School while Mr. Roby thought the Schools would be better without boarders.

The Commissioners thought that they might reckon on a very large increase in the revenues of the School by fees from scholars, and said that they would fix the maximum and minimum amount of fees in the Scheme leaving the Governors to decide between those limits.

In their opinion the maximum fees shall not exceed £20 or £25 per annum for each scholar.

The Commissioners considered that they could not and had not the power to
 30 prescribe that the High Master should be a member of the Church of England although he must be a Graduate of one of the Universities but they thought that in all probability the Governing Body would always appoint a Churchman.

The Commissioners thought that the boys should not enter the School before the age of 10 and that there should be no competition for exhibitions or as I understood for vacancies among the foundationers by examination until the boys attained the age of twelve, and Lord Lyttelton appeared anxious that exhibitions should be given to scholars in other Schools not of so high a class as St. Paul's so as to enable them to have the benefit of an education of the highest class.

I did not allude to the apposition as from the manner in which the
 40 Commissioners met me with regard to the management of the Coletine Estates and the government of the School I did not think it necessary or desirable to do so.

The last point which I have to allude to is the management of the Estates and the Governing Body of the School. I told the Commissioners that the Company had had the management of the Estates and that the Court had managed the School for so long a period that they would feel it to be a great calamity to the Company if the management were taken out of their hands.

To this Lord Lyttelton replied that the Commissioners very seldom proposed to remove the management of the Estates of a School from the old Trustees and that in the present case he should not think of taking away the management of the Coletine estates from the Company.

The Commissioners made several enquiries as to the composition of the Court of Assistants and ultimately said they should much prefer that a change should be made in the Government of the School and that while they would allow the Company to retain a decided preponderance in the Governing Body and would name the Master of the Company for the time being as the Chairman of the Governors they considered that it would be highly beneficial to the School that 10 the basis of the Governing Body should be enlarged and persons other than members of the Company appointed on account of their special aptitude for the management of Schools.

In conclusion the Commissioners said that if the Court wished to submit a Scheme they would be glad to have it at the very earliest opportunity.

I have thought it right to communicate the result of my interview to the Court before submitting to the Commissioners the suggestions for a Scheme which the Court approved as I considered it probable that the Court might prefer to see the Commissioners' proposals before committing themselves to any statement of their views.

D. C. RICHMOND, Esq.
 Endowed Schools Commission,
 Victoria Street, S.W.

Mercers' Hall,
 7th November 1873

St. Paul's School.

SIR,—I am directed to inform you that the Master of the Mercers' Company having communicated to the Court of Assistants the result of the interview which he recently had with the Commissioners the Court are desirous of co-operating
 10 with the Commissioners in settling a Scheme for the future management of the Coletine Trust having regard to the Ordinances of the Founder of St. Paul's School and that the Court do not desire to submit a Scheme for the consideration of the Commissioners but will be prepared to consider promptly heads or suggestions for a Scheme which the Commissioners may think proper to send to the Court.

I remain, Sir,
 Your obedient servant,
 H. E. BARNES.

9th January, 1874.

STATEMENT OF INTERVIEW between the Master and Wardens and the Surveyor Accountant of St. Paul's School and Mr. Hammond Assistant Commissioner of Endowed Schools.

The Master and Wardens and Surveyor Accountant met Mr. Hammond at Mercers' Hall on Friday the 9th of January 1874 and had a very long conversation with him on the subject of a Scheme for the future management of St. Paul's School.

After some preliminary remarks Mr. Hammond stated that the Commissioners were anxious to co-operate with the Company as far as possible as to the management of the Estates belonging to the School. That although in all previous cases the management of the Estates of a School had been vested in the new Governing Body still the Commissioners were prepared to treat the case of St. Paul's School exceptionally and leave the estates in the management of the Company subject to the appointment of an Auditor by the Governing Body to see that the Accounts were properly kept. 10

With regard to the Governing Body Mr. Hammond said that the Commissioners would give the Company a majority and he proposed that the Company should have 11 nominees out of 20 or 8 out of 15. The Master stated that Lord Lyttelton had led him to expect that the Company would have a more decided preponderance in the Governing Body and on being asked by the Assistant Commissioner for his views said that he thought 13 out of 20 would be the least that the Company could agree to and that the Company would require that the Master for the time being should be Chairman of the Governing Body. Mr. Hammond also stated that if a Girls' School should be established the Governing Body of that School might perhaps be slightly modified so as to provide for the exigencies of the case. Mr. Hammond then said that there were five modes in which the Governors other than those to be nominated by the Company might be appointed. 20

1st. By the Crown.

2ndly. By the three Universities of Oxford Cambridge and London.

3rdly. By other select constituencies as at Dulwich.

4thly. By co-optation the first Governors being named in the Scheme and

5thly. By some form of public election if proper bodies could be found or partly by one of these modes and partly by another.

So far as could be gathered the Commissioners would prefer that the Governors should be appointed by the 4th mode.

It was stated in the course of the conversation that the close connexion of the Company with the School if preserved would probably save the School considerable expense in business arrangements. 30

Mr. Hammond said that the Commissioners would desire the removal of the School from St. Paul's Churchyard and that they wished three Schools to be established all to bear the name of St. Paul's School two of which were to be day schools for boys and the third a School for girls. 40

One of the Boys' Schools to be a Classical School and the other a Modern

school. As the Girls' School was to a certain extent experimental the Commissioners would propose that much should be left to the Governing Body.

The Commissioners thought that one third of the endowment should be applied to each of the three Schools but it was suggested on the part of the Company that one fourth would be sufficient for the Girls' School.

The Commissioners hoped that sufficient funds might be obtained from the sale of the site of St. Paul's School to purchase sites for and build the three new Schools and Mr. Hammond suggested that perhaps some idea of the value of the site could be obtained before his next meeting with the Committee.

10 They thought the site of each of the Boys' Schools should not be less than 4 acres and desired to have the opinion of the Committee on the neighbourhood in which the Schools should be erected.

Mr. Hammond stated that the following points must be considered in fixing the sites of the new Schools for boys viz. :—

1. The places from whence the boys now in the School come
2. The districts in want of Schools
3. The relative values of sites
4. The Railways accommodation

20 but that the Girls' School for which such an extensive site would not be required might be in a more central situation.

The Commissioners were willing that there should be 153 foundationers 51 in each School.

That the fees should be from 20 to 30 Guineas and that the age of admission of the Scholars should be left to the Governors and the period of discharge the end of the School term in which the Scholar completed his 19th year.

Mr. Hammond thought that the Commissioners would not object to an apposition dinner.

30 He promised that heads of a Scheme should be prepared by the Commissioners and sent to the Master by the 23rd of January for the confidential consideration of the Court of Assistants and he proposed to meet the Committee again on the 13th of January to learn what the views of the Court were on the heads to be submitted.

Strictly confidential.

[21st January, 1874.]

ENDOWED SCHOOL COMMISSION.

ST. PAUL'S SCHOOL.

Heads of Proposed Draft Scheme.

Object.	1.—Two day Schools of the first grade for Boys and one or more Schools of the same grade for Girls to be established on different sites within the Metropolitan District.	
	(N.B.—The question of one or more Girls' Schools to remain open for the present.)	10
Name.	2.—The name "St. Paul's" to be retained in connection with all the Schools of the Foundation.	
Management of Property.	3.—The Mercers' Company to manage the property but the Accounts to be yearly audited by a person to be named by some independent authority.	
Existing School site.	4.—The existing School to be discontinued and its site and premises adjoining to be sold or let on Building Leases.	
Application of property and income.	5.—Two-thirds of the property and income to be applied to the establishment and support of the Boys' Schools and one-third to that of the Girls' School or Schools.	
Governing Body of Schools.	6.—Subject to special provisions for associating women in the Government of the Girls' School or Schools the Governing Body of the Schools to consist of 20 persons viz. the Master of the Mercers Company 10 persons named by the Company and 9 by some independent person or persons body or bodies.	20
New Schools.	7.—The Governors to acquire the requisite sites for the new Schools. (N.B.—The localities of the several new Schools to be more precisely determined hereafter. For the Boys' Schools the North and West Suburbs are suggested.)	
Foundation Scholars.	8.—The foundation Scholars to be 153 in number, viz. 102 Boys and 51 Girls, all to be selected by competitive examination.	
Fees.	9.—Scholars (not foundation Scholars) at all the Schools to pay fees of from £20 to £30 per annum.	30
Age of discharge.	10.—Scholars at all Schools to leave after completion of 19th year.	
Boys' Schools Classical and Modern.	11.—One Boys' School to be classical and one modern, or else each Boys' School to have two Departments, one classical and one modern.	
Boarders.	12.—Power to be given to the Governors to allow Boys to board in Masters' Houses and Girls to board either in Teachers' Houses or elsewhere according to proper regulations.	
Apposition.	13.—The Governors to be authorised to retain the Apposition Ceremonies and to expend a reasonable sum each year on the Apposition Dinner.	

[30th January, 1874.]

NOTES OF INTERVIEW between the Master and Wardens and Surveyor Accountant of St. Paul's School and Mr. Hammond Assistant Commissioner of Endowed Schools at Mercers' Hall on the 30th January 1874.

After some preliminary conversation the Master stated that the Heads of the proposed draft Scheme submitted by the Commissioners had had the very careful consideration of the Court of Assistants and that the Court were most anxious to co-operate with the Commissioners in settling a Scheme provided that the wishes of the founder as expressed in his ordinances were respected. The Master
10 said that the Committee had full powers to negotiate with the Commissioners and inquired whether Mr. Hammond came armed with similar powers. Mr. Hammond said No, that Lord Lyttelton was the Commissioner who had this matter in hand that heads of the proposed Scheme had been prepared and sent to him in the Country that his Lordship had returned them with his remarks and that the Board of the Commission having considered the matter had settled the heads in the form in which they were sent to the Court. That the Commissioners had inserted some matters which they thought would be agreeable to the Court particularly Clause 2 keeping up the name of St. Paul's School and Clause 13 relating to the apposition.

20 Mr. Hammond said further that he could only report what passed to the Commissioners but he had no power whatever from them to agree to any modifications in the heads. He asked whether there would be any objection to discuss the heads agreed to by the Court to which the Master replied that he felt under considerable disadvantage in dealing with a Gentleman who had no powers and that the Committee would rather postpone the conference until they could meet either the Commissioners themselves or some Gentleman armed with as full powers from them as the Committee had from the Court of Assistants.

The conversation then turned upon the new Governing body of the Schools and Mr. Hammond said that the Commissioners had to a large extent followed
30 the precedent of Emmanuel Hospital and had treated the Company more favourably than the Public Schools Commissioners had treated the old governing bodies of any of the Schools under their jurisdiction. That the Company naturally looked to the ordinances of Dean Colet but the Commissioners were compelled to follow the provisions of the Endowed Schools Act.

The Master stated that he had reported to the Court of Assistants what passed at his interview with the Commissioners and that the Court had consented to negotiate with the Commissioners on the basis that the Company would have a decided preponderance in the Governing body and that foundation Scholars should not be appointed by competitive examination.

40 Mr. Hammond said that not having been present at the interview with the Commissioners he had considerable difficulty in meeting the arguments used but that he had the Commissioners' Memorandum of the interview, and that it there appeared that Lord Lyttelton said that the Commissioners would give the Company a clear preponderance and that another Commissioner had corrected him and said a clear majority.

The Master distinctly remembered the words used by Lord Lyttelton and said that the Court considered this question of vital importance and the Committee

must decline to discuss the other details of the Scheme until it had been satisfactorily and authoritatively settled.

The Assistant Commissioner eventually said that he would report to the Commissioners.

That the Court of Assistants attributed more importance to the interview between the Master and Lord Lyttelton and Mr. Roby than the Commissioners would appear to do and that the Court considered that the printed heads of the Scheme are at variance with the proposals reported to them as having been suggested at that interview more especially having regard to the constitution of the governing body and the question of competitive examination. 10

That as the Committee are armed with full powers from the Court they would prefer to deal directly with the Commissioners and to meet them with a view to reconsideration by them of the above points.

And that he would probably bring the matter before the Commissioners at their meeting on the 2nd of February.

Shortly before the close of the interview Mr. Hammond inquired if the Master still thought that 13 Governors out of 20 might be accepted by the Court to which the Master replied that he would rather not enter upon that subject at the moment but would prefer to leave it until the Committee met the Commissioners. 20

In the course of the interview the Master asked Mr. Hammond for the definition of a "first grade School" and the latter stated that it was the highest class of School between the Universities on the one hand and the Elementary Schools on the other and that a reference to the Schools Inquiry Report would show exactly what was intended.

From this Report (pp. 78 to 86) it appears that the Schools Inquiry Commission divided Schools between the Universities and the Elementary Schools into three grades distinguished by the kind and amount of education given in them respectively. The third grade which is the lowest consists of the Schools intended for boys whose education will cease at the age of 14. The subjects taught are English the elements of Latin or some modern language Arithmetic and the elements of Algebra or Geometry. The cost of Education in this grade is estimated at £4 per annum. 30

The second grade of Schools are those intended for boys whose Education will cease at the age of 16, and who will go from School into Mercantile employments into Manufactories into the Army or the Civil Service. The subjects of instruction are mainly the same as those in the third grade but of a less elementary character. The cost for Day boys in this grade is estimated at from £6 to £12 per annum, and for Boarder at from £30 to £40.

Schools of the first grade are those of which the chief object is to prepare 40 boys for the Universities although probably not more than one-fourth or one-fifth of these Scholars would go to a University and the course of Education in them will therefore be regulated by the requirements of the Universities. Boys who are educated in Schools of this grade usually remain till the age of 18 or 19. The cost is estimated at from £12 to £25 per annum for Day boys and £60 per annum for Boarders.

[9th February, 1874.]

NOTES OF INTERVIEW between the Master and Wardens and Surveyor Accountant of St. Paul's School and the Endowed Schools Commissioners (Lord Lyttelton Mr. Robinson and Mr. Roby) on the 9th of February 1874.

Lord Lyttelton stated at the commencement of the interview that the first question to be discussed was the constitution of the new Governing Body of the School and that he would be glad if the Master would state the views of the Court of Assistants on that point.

The Master thereupon said that the School was founded by a Mercer and
 10 had been entrusted by him to the care and management of Mercers that the Court of Assistants having had the management of the School for upwards of 350 years felt a very great interest in and affection for it that they had always carried out the wishes of the founder to the best of their ability and that so far as he was aware no complaint had ever been made against them. That the Court felt it hard under these circumstances that the management of the School should be taken from them and that as men of common sense and prudence in the affairs of life they were quite as likely to manage the School well as men who might be chosen for supposed special qualifications.

Lord Lyttelton asked if the Court would wish that all its Members should be
 20 retained in office as Governors with or without others and said that in no instance had a governing body consisting of so many as 25 or 30 members been nominated.

The Master said that no doubt the Court would desire that all the Members should be members of the Governing body that the Court had from the earliest times acting in accordance with the Ordinances of Dean Colet called in learned men to assist them in all difficult points connected with the management of the School and particularly in the selection of Masters, but that they were most happy to cooperate with the Commissioners in settling a Scheme and as the
 30 the latter seemed desirous that the number of the governing body should be reduced the Court would not although they felt very strongly on the subject press further their claim to have the whole of their members on the Governing body.

Lord Lyttelton said that in the opinion of the Commissioners the number of the governing body should be between 15 and 20 and Mr. Roby said that he thought 20 too many and was in favor of a smaller number whereupon the Master suggested that there should be 21 members of which 16 should be Mercers and 5 non-Mercers.

Lord Lyttelton then said that the Commissioners could not treat St. Paul's differently from the other great Schools of the Kingdom and that in no case had
 40 either the Public Schools Commissioners or the Endowed Schools Commissioners dealt with the governing bodies of Schools under their jurisdiction so favorably as was proposed by the Master. And he instanced Eton of which the governing body formerly consisted of the Provost and Fellows while the Public Schools Commissioners only appointed on the new governing body the Provost and in the first instance one of the Fellows whose place would afterwards be filled up by cooptation. And he also instanced the Haberdashers' Company's School at

Monmouth where the Endowed Schools Commissioners had out of a body of 13 Governors allowed the Haberdashers 7 only.

The Master pressed Lord Lyttelton with his statement at the former interview that the Court should have a decided preponderance on the new governing body to which his Lordship replied that a mere numerical majority would barely represent the influence of the Governors who would be Mercers as they would be always on the spot and always work together and that the Commissioners could not give the Court more than 11 members out of 20.

The Master said that the Court would be satisfied if they had 14 members out of 21 on which Mr. Robinson suggested that if the whole number was 21 there might be 12 Mercers or if the whole number was 18, 11 Mercers. The Master thereupon pressed Lord Lyttelton for his views and the Commissioners desiring to consult the Committee withdrew from the room. 10

On their return Lord Lyttelton stated that if the Company and the Commissioners agreed on the constitution of the governing body and did not afterwards agree on other points of the Scheme so that the negotiations were broken off the Commissioners must not be considered as having bound themselves to the proportions named but would reserve the right to alter such proportions if they thought fit and further that it was very probable that when the Commissioners and the Company had agreed upon the Scheme the Committee of Council on Education would alter it. But that the Commissioners wishing to consult the Company's interests to the utmost of their power were willing to give the Company 12 out of 21 Governors and that all the Commissioners agreed in this. 20

The Master said that the Company could not accept so small a proportion and reverted to the figures which he had suggested at one of the interviews with Mr. Hammond viz. 13 out of 20 which was not acceded to by the Commissioners Mr. Robinson saying that he had advised his Brother Commissioners to give way to the feelings of the Company and agree to 12 Mercers out of 21 but he could not press them any further. The Master then said that he would advise the Court to agree to 12 Mercers out of 20 but he could not go further whereupon Lord Lyttelton said that the Commissioners had fully considered the point and would not recede. He said moreover that it would be of no use discussing the other heads of the Scheme and broke up the interview saying that he regretted that no Agreement could be come to and that the matter must now take its course. 30

As the Committee were leaving the room Mr. Roby asked the Master whether if the Commissioners submitted a printed Scheme with the proportions of the Governing Body as proposed by the Commissioners the Court would consider it. The Master said no doubt they would.

Lord Lyttelton then said that the Commissioners had already conceded the management of the Estates to the Company and the Master replied that he did not think the Court would undertake the management of the Estates unless they were satisfied with the constitution of the Governing Body. 40

Mercers' Hall

13th February 1874.

The Secretary of the
Endowed School Commission
2 Victoria Street, S.W.

ST. PAUL'S SCHOOL.

10 GENTLEMEN,—The Master and Wardens and Surveyor Accountant having this day communicated to the Court of Assistants the particulars of the interview they had the honour to have with your Honble. Board on Monday last they desire to inform you that our Court with some reluctance consent to the Governing Body consisting of the proportions named by the Master viz. 12 Mercers and 8 other persons or a larger number of Governors in the same proportion as three-fifths and two-fifths and they hope that the Commissioners may eventually accept this view. In the meantime the Court are desirous that the Master and Wardens and Surveyor Accountant should discuss with the Commissioners the other clauses of the heads of Scheme sent to the Mercers Company in order that it may be ascertained whether there is such divergence on other matters besides the Governing body as will set aside all prospect of Agreement. Awaiting your reply I have the honor to remain

20

Your most obedient servant,

JOHN WATNEY,
Master.

[23rd February, 1874.]

NOTES OF INTERVIEW between the Master and Wardens and Surveyor Accountant of St. Paul's School and the Endowed Schools Commissioners (Lord Lyttelton Mr. Robinson and Mr. Roby) on the 23rd February 1874.

Lord Lyttelton at the commencement of the interview said that he understood the Committee wished to go through the heads which the Commissioners had submitted and that he would be glad if the Master would do so.

I. The Master thereupon said that the Court of Assistants had agreed to the first clause with the following proviso viz. : that a Girls' School or Girls' Schools of the same grade be established after the building and establishment of the Boys' Schools provided the funds will admit of it, and Lord Lyttelton replied that it was simply a question of funds that if there were not sufficient funds he agreed that the Boys were to be preferred but that a Girls' School should be established as soon as two good Boys' Schools had been fully secured. 10

Mr. Roby said that there were very large funds that they were quite sufficient for the 3 schools and that in his judgment not more than £3000 per annum would be required or could with advantage be used for each School.

The Master said that the Court would be delighted to have a Girls' School if the funds were sufficient whereupon Mr. Roby said that the Governing Body must cut their coat according to their cloth. 20

II. The second clause as proposed by the Commissioners agreed to.

III. On this clause the Master stated that the Court desired to know what it was proposed should be the duties of the Auditor and Lord Lyttelton said that the Auditor would not interfere with the management of the Schools but that it was felt that there should be an efficient audit of the accounts as the audit of the Charity Commissioners was really no audit at all. That the Auditor might probably be appointed by some independent authority as for instance the Lord Mayor that he would have power to disallow items in the accounts but that an appeal would be allowed from his decision to the Charity Commissioners.

IV. Agreed to. 30

V. The Master stated that the proportion of income proposed to be allotted to a Girls' School was greater than the Court thought reasonable or proper that Dean Colet had founded during his lifetime a School for boys and though the Court were willing to devote part of the income to the education of girls they could not sanction the diversion of so large a part as one third for that purpose. And he read the proposal of the Court as follows viz. :—

That the application of the income be left to the governing body, but that at no time shall a larger proportion than one quarter of the income be appropriated to the Girls' Schools.

Lord Lyttelton said that in the abstract girls should be as well educated as boys but that as their education was not so expensive as that of boys and as a large proportion of girls taken from the same class as the boys who would go to the School would probably be educated at home the Commissioners were prepared to admit that more than one half of the income should be devoted to the education of boys and that he thought two thirds and one third would be a fair division. 40

But that this was a matter of detail, and that if the Company felt strongly on the subject the Commissioners would consider it.

VI. This head was discussed afterwards.

VII. Agreed to the localities for the new Schools not to be named in the Scheme but to be left to the Governing Body.

VIII. The Master read the Court's proposal that the foundation Scholars be 153 in number and that all vacancies in that number be filled up as they occur as the reward of merit from boys who have not been less than one year in the School under such regulations as the Governors shall determine.

10 Lord Lyttelton thought that the wisdom of the Company's view was questionable and that the foundation ought to be left more open. Mr. Roby said he understood that the Court were in favour of the boys paying substantial fees and that poorer boys would by the Company's proposal be excluded from the School which he did not think was desirable as he considered that it would be of great benefit to the School if new blood was occasionally introduced.

The Master said that if the foundation was opened to boys not in the School there would probably be competitive examinations of which the Court entirely disapproved of.

20 Mr. Robinson suggested that a certain number of Foundation Boys might be selected from certain Schools of a lower grade to be named by the Governors.

The Master said that the Court were giving up the patronage which they had enjoyed for so many years without any equivalent upon which Mr. Roby said that he understood that the Court were willing to give up the right to nominations and the Master said that they were certainly not willing to do so but that they must submit to the Commissioners.

30 Lord Lyttelton said that the foundationers alone would be subject to competitive examination and that the effect of the Company's proposal would be to raise the aristocratic element in the School and Mr. Robinson asked whether the Court were afraid that so many candidates would present themselves as to be unmanageable.

With reference to the foundation scholarships in the Girls' School Lord Lyttelton said that he would only advocate competitive examination for girls in a qualified or modified form but that some test was necessary.

This subject was then left for the moment and the other parts of the Scheme discussed.

IX. The modification proposed by the Company was agreed to by the Commissioners Lord Lyttelton saying that he was very glad the Company agreed with the Commissioners on the subject of the fees.

X. Agreed to.

40 XI. The Master stated that the Court agreed to the first paragraph but disagreed to the second. And Lord Lyttelton said that he thought the Court were right but Mr. Roby differed and said that at Giggleswick in Yorkshire and Brentwood in Essex there were modern Schools working very well and that at Cheltenham there were two distinct Schools practically with two head masters one classical and one modern absolutely separate during School hours. Lord Lyttelton ultimately said that he was disposed to agree with the Court on this point.

XII. The Commissioners thought there would be no difficulty in inserting the proviso agreed to by the Court.

XIII. Agreed to.

XIII. This head was then further discussed and Lord Lyttelton said that he could not agree to the foundations in the Girls' Schools being left absolutely to the discretion of the Governors. Mr. Roby said that one third of the income was the minimum which could be devoted to girls and Mr. Robinson suggested that not less than £3,000 per annum should be set apart for girls. Mr. Roby said that there was a great dearth of Girls' Schools and that he would like to see one boarding school and one or two day schools for girls founded out of the income of the trust. 10

The Commissioners then expressing a wish to consult the Committee retired and on their return Lord Lyttelton said that the Commissioners would agree that not less than one fourth of the income should be appropriated for girls and that a like number of the foundationers must be girls. He also said that the vacancies on the foundation should be filled up at the end of the term or half-year.

Mr. Robinson thought that one third at least of the foundationers should be chosen from boys in certain Schools of a lower grade, such Schools to be selected by the governing body while Lord Lyttelton and Mr. Roby considered that the proportion should be one half and in reply to an observation of the Master that such an admixture would lower the tone of the School the Commissioners said that they did not think this would be so as the boys so brought in would be very few and would be selected for merit. 20

Mr. Roby requested to be furnished with the income derived from Lord Campden's bequest from what source it was derived and whether it was likely to increase and said that the exhibitions from this source would of course be tenable by boys from each School. He also asked if there would be any objection on the part of the Company to the blending of the income from Lord Campden's foundation with Dean Colet's to which it was answered that the Company would prefer to keep the trusts distinct. 30

VI. With reference to the constitution of the Governing body the Master said that the Court of Assistants considered that the Committee in agreeing to accept a body composed of 12 Mercers to 8 others had gone to the very extreme of their powers that the Court were very desirous that the whole of their members should be on the Governing body that the numbers mentioned by the Commissioners had never been mentioned or even thought of by the Court who felt that their honor was at stake and that they could not in justice to themselves give way that the Commissioners were not bound by their act to alter the Governing body and that as the Mercers had always done their duty by the School in every way the Court could not see why there should be any alteration. 40

Lord Lyttelton said that he was not aware that the Commissioners had ever stated that they were bound to alter the constitution of the governing body but under the discretion vested in them they thought that it was expedient to do so. Mr. Roby said that no censure was implied by the Commissioners upon the Court of Assistants who had he admitted done their duty to the School and that he thought by the Commissioners' Scheme the Company would be fully and adequately represented on the governing body.

The Master said that the Court of Assistants felt that three fifths of the governing body ought to be composed of Mercers and he trusted that as the Court had given way to the Commissioners on almost every other point which had been raised the Commissioners would see their way to give way on this.

Mr. Robinson asked whether supposing the Commissioners agreed to 12 to 8 the Company would appoint 2 out of the 12 from persons outside their own body and the Master said that the Court felt much hurt already at so many of their body being displaced and could not on any account agree to such a proposal.

10 Lord Lyttelton then said that the Commissioners would consider the Company's views that the only point between them and the Company was the constitution of the governing body and that the Commissioners' next step would be to prepare a Scheme. That the Commissioners would not do so professedly in opposition to the views of the Company and that the Scheme would be sent to the Company for consideration before being published.

[DRAFT OF APRIL, 1874.]

For the consideration of the Mercers' Company.

City of London.

ENDOWED SCHOOLS COMMISSION.

DRAFT SCHEME for the Management of ST. PAUL'S SCHOOL, in LONDON,
founded by DEAN COLET.

PART I.—GENERAL.

- Object. 1. The object of the above-named Foundation shall be to supply liberal education for boys and girls by means of Schools in or near London.
- Repeal. 2. From the date of this Scheme all the particulars which by the Endowed Schools Act, 1869, sec. 46, are capable of being hereby repealed and abrogated shall, so far as relates to the management of the Foundation, be repealed and abrogated. 10
- Jurisdiction of Visitor. 3. From the date of this Scheme all rights and powers (if any) reserved or belonging to, or claimed or capable of being exercised by, any body corporate, persons or person, other than Her Majesty, as Visitors or Visitor of the Foundation, shall be transferred to Her Majesty, and all such rights and powers, and also any like rights and powers vested in Her Majesty on the 2nd day of August 1869, shall be exercised only through and by the Charity Commissioners for England and Wales. 20
- Jurisdiction of Ordinary. 4. From the date of this Scheme all jurisdiction of the Ordinary relating to or arising from the licensing of any Master in any endowed School of the Foundation shall be abolished.
- Saving or commutation of rights and interests. 5. Notwithstanding anything herein contained this Scheme shall not affect any of the following vested interests, viz. :—
- (1.) The interest of any scholar who was on the day of
a scholar on the Foundation of St. Paul's School :
 - (2.) The tenure by any person of any Exhibition payable out of the endowments of the Foundation, which was held by him, or had been awarded to him on or before the day of : 30
 - (3.) Such interest as any teacher or officer of the Foundation appointed to his office before the 25th June 1868 may have :
 - (4.) Such interest as any person may have in any pension or compensation allowance payable out of the endowments of the Foundation to which he was entitled on the 25th June 1868.

PART II.—MANAGEMENT OF PROPERTY.

6. All the estates and property of the Foundation not used or occupied for the purposes thereof shall continue to be vested in and managed by the Mercers' Company, hereinafter called the Company, or by their officers acting under their orders, according to the general law applicable to the management of property by Trustees of Charitable Foundations. Any money arising from the sale of timber or from any mines or minerals, belonging to the Foundation, shall be treated as capital, and invested in any such securities as may from time to time be authorised by any Act of Parliament or by the Court of
 10 Chancery for the investment of trust funds, except in any special cases in which the Company may be authorised by the Charity Commissioners to apply such money or any part thereof as income. Management of property.

7. All capital sums which, under the provisions of this Scheme, the Company may be required to raise shall be raised by them by sale or mortgage of the real or personal property of the Foundation, or by both those means, or otherwise, on such terms, and subject to such conditions as may be sanctioned or prescribed by the Charity Commissioners in each case. Raising money.

The provisions of the Charitable Trusts Act, 1853, and the Charitable Trusts Amendment Act, 1855, as to discharge of debts by means of instalments, a sinking
 20 fund, or otherwise, shall not apply to any money charged or to be raised under this or the last foregoing clause, but the Charity Commissioners may at their discretion require that any debt created under such clauses shall be discharged in such manner and within such time as they may think fit to prescribe.

8. The Company shall make such arrangements as they think fit for the custody of all muniments, title deeds, and other documents belonging to the Foundation, for deposit of money, for drawing cheques, and for the appointment of a Clerk and of officers for the conduct of their business. Conduct of business.

9. The accounts of the Foundation shall be made up and balanced to the 31st day of December in every year. The accounts shall be signed by the Master
 30 or one of the Wardens of the Company within two calendar months after the day to which they are made up. As soon as practicable after the accounts are so signed they shall be audited. Accounts.

10. With respect to the audit of the accounts the following provisions shall have effect : Audit.

- (1.) The Auditor in each year shall be appointed by the Lord Mayor, and shall receive such remuneration as the Company, subject to the approval of the Charity Commissioners, may direct; and such remuneration, together with the expenses of or incident to the audit, shall be paid by the Company out of the income of the Foundation :
- 40 (2.) The audit shall be held at the office of the Company or some other convenient place to be named by them, and at a time to be fixed by the Auditor, but to be as soon as possible after the accounts are signed :
- (3.) The Auditor, at least fourteen days before holding the audit, shall

serve on the Company and on the Governing Body hereinafter constituted under this Scheme notice of the time and place of holding the audit :

- (4.) The Clerk of the Company or some person authorised by them shall attend the audit and produce to the Auditor all books, bills, vouchers, and documents relating to the accounts :
- (5.) Any member of the Company or of the said Governing Body may be present at the audit and object to the accounts :
- (6.) The Auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the accounts, 10 as in the case of an audit of the accounts of the School Board for London, and the Governors or any person aggrieved by the decision of the Auditor shall have a right of appeal to the Charity Commissioners, whose decision shall be final :
- (7.) Subject to the provisions of this clause the Charity Commissioners may from time to time make such regulations as may in their opinion be necessary respecting the form of keeping the accounts and the audit thereof.

When the Auditor has completed the audit he shall sign the balance sheet.

11. The Company shall in each year cause a statement, showing their 20 receipts and expenditure for the preceding year, to be printed in such form and with such particulars as may be from time to time prescribed by the Charity Commissioners, and shall send the same within thirty days after the balance sheet is signed by the Auditor to the Governing Body hereinafter constituted under this Scheme, and to the Charity Commissioners, and publish an advertisement thereof in two London daily newspapers, and cause copies to be sold to all applicants at a price not exceeding threepence for each copy.

12. The present and any future buildings and playgrounds used for the purposes of the School or Schools of the Foundation, with their respective appurtenances, shall, so long as they respectively continue to be so used, be 30 managed by the Governing Body hereinafter constituted under this Scheme without interruption by the Company.

13. The Company after defraying the expenses of management incurred under the provisions of Parts I., II., and VII. of this Scheme, including a reasonable sum for providing the yearly Apposition dinner, shall pay the net income of the Foundation to the Governing Body hereinafter constituted under this Scheme at such times and intervals, and in such manner as may be authorised or prescribed from time to time by the Charity Commissioners.

PART III.—CONSTITUTION OF GOVERNING BODY OF SCHOOL.

14. The Governing Body of the Boys' Schools of this Foundation shall 40 consist, when complete, of 21 Governors, of whom one shall be the Master of the Company for the time being, eleven shall be appointed by the Company, and the remaining nine shall be appointed as follows :—

Statement of
accounts.

School buildings.

Application of
income.

Governing Body of
Boys' Schools.

Three by the Hebdomadal Council of the University of Oxford ;
 Three by the Council of the Senate of the University of Cambridge ; and
 Three by the Senate of the University of London.

Every Governor other than the Master of the Company shall be appointed to hold office for five years and then retire.

15. For the management of the Girls' School or Schools to be established under the provisions of this Scheme the Governing Body of the Boys' Schools shall, as soon as conveniently may be after the completion of the buildings for any such Girls' School in pursuance of the provisions of this Scheme, and at
 10 their first meeting in every fifth year afterwards, appoint four women to act jointly with them as Governors of the Girls' School or Schools of the Foundation. The whole body of 25 Governors so constituted shall have the management of such Girls' School or Schools, and of the buildings thereof and of the income to be appropriated under this Scheme for the education of girls.

Management of
Girls' Schools.

16. The word "Governors" in this Scheme shall mean the Governing
 Body of 21 members for the Boys' Schools or the Governing Body of 25 members for the Girls' School or Schools, as the circumstances and context require. If any doubt arises as to the meaning of the word "Governors" in any
 20 instance, the matter shall be referred to the Charity Commissioners, whose decision shall be final.

Interpretation of
"Governors."

17. If, during his term of office, any Governor, other than the Master of the Company, becomes bankrupt or incapacitated to act, or expresses to the Governors in writing his wish to retire, or fails for the space of one year to attend any meeting, the Governors shall, after notice to such Governor at his last known place of residence in England, cause a record of the fact to be entered in their books, and notify the same to the body by whom he was appointed ; and upon such record being entered the Governor to whom it applies shall cease to be a Governor ; and thereupon or upon the death of a Governor the proper body shall
 30 proceed to appoint a successor to the vacant place. A Governor vacating office by retirement or non-attendance only shall not be thereby disqualified for re-appointment.

Vacation of office.

18. No Master or Mistress of any School of the Foundation may be a
 Governor.

Masters.

19. Religious opinions, or attendance or non-attendance at any particular form of religious worship, shall not in any way affect the qualification of any person for being a Governor under this Scheme.

Religious opinions.

20. Every Governor shall, at or before the first meeting he attends in that character, sign a memorandum declaring his acceptance of the office of Governor and his willingness to do his duty as such, and to act in the trusts of this
 40 Scheme ; and until he has signed such a declaration he shall not be entitled to act.

Acceptance of office.

21. Within one month from the date of this Scheme the Company shall issue to each body having the right of appointing a Governor or Governors notice in writing of a meeting of the Governors, to be held at some convenient place, at an interval of not less than seven and not more than twenty-eight days from the date of such notice. No meeting of the Governors shall be held before

Meetings of
Governors.

the date specified in such notice. Afterwards the Governors shall from time to time summon and hold meetings in some convenient place to be fixed by themselves as often as may be found necessary for the management of the several Schools, and of the property thereof, hereinafter referred to as the Trust, and at least twice in each year, on some convenient days to be appointed by themselves.

Chairman. 22. The Master of the Company shall be *ex-officio* Chairman of the meetings, and the Governors shall, at their first meeting in each year, make regulations for supplying his place whenever he is absent.

Quorum. 23. A quorum shall be constituted whenever seven Governors are present ; and any such quorum may act notwithstanding a vacancy or vacancies in the whole number of Governors. Whenever any decision is made in favour of which less than a majority of the Governors for the time being entitled to act have voted, it shall be competent to any two Governors, within seven days from the day of the decision, to demand that the decision shall be once reconsidered at a special meeting, to be held at an interval of not less than 14 and not more than 21 days after the meeting at which such decision was made. 10

special meetings. 24. The Chairman or any two Governors may at any time summon a special meeting for any cause that seems to him or them sufficient.

Notice. 25. All special meetings shall be convened by notice in writing to the Governors, specifying the object of the meeting. And it shall be the duty of the Clerk to give such notice when required by the Chairman or any Governors having a right to summon such a meeting. 20

Voting. 26. Save as is herein otherwise expressly provided, all matters and questions shall be determined by the votes of the majority of the Governors present at any meeting ; and in case of equality of votes, the Chairman of the meeting shall have a second or casting vote.

Adjournment of meetings. 27. If at any meeting there is not a sufficient number of Governors present to constitute a quorum, or if the business at any meeting is not fully completed, the Governors present may adjourn the meeting to a subsequent day, of which notice shall be given to all the Governors. 30

Books. 28. A minute book and proper books of account shall be provided by the Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for the purpose.

Minutes. 29. Minutes of all proceedings of the Governors shall be entered in the minute book and duly signed. In the same book shall be recorded the entry into office of every new Governor, and the names of all the Governors present at each meeting, whether a quorum is constituted or not.

Accounts. 30. Full accounts shall be kept of the receipts and expenditure of the Governors, and such accounts shall be stated for each year, and examined and passed annually at some meeting within the first two months of the ensuing year, and signed by the Governors then present. 40

Separate accounts shall be kept of the receipts and expenditure (if any) of the Governors in respect of the Lord Campden's Exhibitions.

Publication of abstracts and reports. 31. The Governors shall in the first quarter of each year cause abstracts of the accounts for the preceding year to be prepared in accordance with the forms appended to this Scheme, subject to such alterations thereof as may be authorised by the Auditor for the time being, unless some form is prescribed by the Charity

Commissioners, in which case the form so prescribed shall be followed. The Governors shall at the same time and in the same manner cause annual statements of the progress of the Schools to be prepared. Such abstracts of accounts and such statements for the past year they shall cause to be printed together and published forthwith, and shall advertise such publication in at least two London daily newspapers, and sell copies of the whole set of abstracts and statements so published at such price as they shall think fit, not exceeding sixpence for each copy, to all applicants.

10 32. The Governors shall make arrangements for the custody of all documents belonging to the Trust, for deposit of money, for drawing cheques, and for the appointment of a Clerk for the conduct of their business. If any such Clerk is himself a Governor he shall not receive a salary.

Custody of documents and appointment of agents.

33. The property of the Trust shall be managed by the Governors, or by their officers acting under their orders, according to the general law applicable to the management of property by Trustees of Charitable Foundations.

Management.

20 34. In order to raise any capital sum which the Governors may from time to time be authorised to expend under the provisions of this Scheme, the Governors may serve their precept on the Company requiring them to raise the same in manner hereinbefore provided, and the Company shall forthwith proceed to raise and pay the same to the Governors accordingly. If any doubt arises as to the validity of any precept, the Company or the Governors may refer the question to the Charity Commissioners, whose decision shall be final.

Precept for raising money.

PART IV.—THE SCHOOLS.

35. From and after the date of this Scheme the Governors shall proceed to acquire such sites, including adequate playgrounds, in or near London as shall be necessary for carrying out the provisions of this Scheme, it being intended that the Foundation shall ultimately comprise :—

Schools, sites, buildings.

- 30 (1.) A Classical School for about 500 boys ;
 (2.) A Modern School for about 500 boys ;
 (3.) A High School or High Schools for not less than 400 girls in all ;

such schools to be established in such order of priority as the Governors may deem to be most expedient.

The acquisition of each site shall be subject to the approval of the Endowed Schools Commissioners if acting at the time, and, if not, of the Charity Commissioners. So soon as any such approval has been obtained the Governors shall proceed to erect on the approved site buildings, according to plans to be subject to such approval as aforesaid, suitable for the School intended. For all or any of the above purposes they may from time to time expend such capital sums as may be sanctioned by the Charity Commissioners.

40 36. The Governors shall, whenever a convenient opportunity offers, and with the sanction of the Charity Commissioners, entirely remove St. Paul's School from the existing buildings in St. Paul's Churchyard. From and after such removal the said buildings and their appurtenances and the site thereof shall be managed by the Company as part of the general property of the Foundation.

Removal of St. Paul's School.

Day Schools.

37. All the Schools of the Foundation shall be Day Schools, but the Governors shall have power to admit to all or any of the Schools boys and girls boarding in the houses of Masters or Mistresses, or in such other houses as may from time to time be approved by the Governors.

Holy Orders.

38. No person shall be disqualified from being a Master in any of the Schools by reason only of his not being, or not intending to be, in Holy Orders.

Religious instruction.

39. Subject to the provisions hereinafter contained, the Governors and the Head Master or Head Mistress of each School shall, within their respective departments as herein defined, make proper provisions for religious instruction in such School.

Endowed Schools Act, 1873, s. 11.

40. No alteration in any regulations made by the Governors respecting the religious instruction given at any School shall take effect until the expiration of not less than one year after notice of the making of the alteration is given.

Endowed Schools Act, 1869, s. 15.

41. The parent or guardian of, or person liable to maintain or having the actual custody of any day scholar in any School of the Foundation may claim by notice in writing addressed to the Head Master or Head Mistress of such School the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly; and a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantage or emolument in any School of the Foundation or out of any endowments affected by this Scheme to which he or she would otherwise have been entitled. If any teacher in the course of other lessons at which any such scholar is, in accordance with the ordinary rules of the School, present, teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as provided by this clause, the Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of.

Appointment of Head Masters and Head Mistresses.

42. Every Head Master and every Head Mistress shall be appointed by the Governors. Every such appointment shall be made at a meeting to be called for the purpose, as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers and by such other methods as they may think fit.

Dismissal without assigning cause.

43. The Governors may dismiss any Head Master or Head Mistress without assigning cause, after six calendar months' written notice, given in pursuance of a resolution, affirmed by an absolute majority of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the express purpose of considering the matter.

Dismissal for urgent cause.

44. For urgent cause the Governors may, by a resolution, affirmed by an absolute majority of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the express purpose of considering the matter, suspend any Head Master or Head Mistress from office; and in that case they

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shall appoint another special meeting to be held at an interval of not less than a fortnight after the former one, and may then, by a resolution, likewise affirmed by an absolute majority of the whole number of Governors for the time being entitled to act, wholly and finally dismiss him or her. Full notice and opportunity of defence at both meetings shall be given to such Head Master or Head Mistress, as the case may be.

45. Every Head Master or Head Mistress, previously to entering into office, shall be required to sign a declaration, to be entered in the minute book of the Governors, in the following form :—

Declaration by Head Masters or Head Mistresses.

10 “ I, declare that I will always, to the best of my ability, “ discharge the duties of Head of St. Paul’s School during my “ tenure of office, and that if I am removed by the Governors, according to the “ constitution of the said School, I will acquiesce in such removal, and will there- “ upon relinquish all claim to the office and its future emoluments, and deliver up “ to the Governors, or as they direct, possession of all their property then in my “ possession or occupation.”

46. Every Head Master and Head Mistress to whom a residence shall be assigned by the Governors shall dwell in such residence. Every Head Master and Head Mistress shall have the occupation and use of his or her residence (if any), 20 and of any other property of the Foundation of which he or she may become occupant, in respect of his or her official character and duties, and not as tenant ; and shall, if removed from office, thereupon deliver up possession of such residence and other property to the Governors, or as they may direct. No Head Master or Head Mistress shall, except with permission of the Governors, allow any person to occupy his or her official residence or any part thereof.

Occupation of Trust property by Head Masters and Head Mistresses.

47. Every Head Master and Head Mistress shall give personal attention to the duties of the School in his or her charge. No Head Master or Head Mistress shall hold any office or appointment which, in the opinion of the Governors, may interfere with the proper performance of his or her duties under the trusts of this 30 Scheme, and no Head Master shall hold any benefice having the cure of souls.

Personal attention of Head Masters and Head Mistresses.

48. No Master or Mistress of any rank in the Schools shall receive or demand from any scholar or from any person whomsoever on behalf of any scholar any gratuity, or payment, other than such payments as are prescribed or authorised by this Scheme.

No gratuities to Masters or Mistresses.

49. Within the limits fixed by this Scheme the Governors shall in each School prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the scholars, and the number of School hours in each week, and of holidays to be given in each term. They shall take general 40 supervision of the sanitary condition of all the School buildings and arrangements. They shall from time to time determine what number of Assistant Masters, Mistresses, or Teachers shall be employed in each School. They shall every year assign to each School the amount to be paid out of the income of the Trust for the salaries of Assistant Teachers, and for the provision of a proper plant or apparatus for carrying on the instruction given in such School.

Jurisdiction of Governors over scholastic arrangements.

50. Before acting under the last preceding clause the Governors shall in all

Governors to consult Head Master.

cases consult the Head Master or Mistress of any School concerned, in such a manner as to give him or her full opportunity for the expression of his or her views.

Jurisdiction of Head
Masters and Head
Mistresses.

51. Subject to the rules prescribed by or under the authority of this Scheme, the Head Master or Head Mistress of each School shall have under his or her control the method of teaching, the arrangement of classes and School hours, and generally the whole internal organisation, management, and discipline of his or her School, and shall have authority over all scholars attending such School in all places and at all times during the School terms: Provided that if any Head Master or Head Mistress expels a scholar from School, he or she shall 10
forthwith make a full report of the case in writing to the Governors.

52. The Head Master or Head Mistress of each School shall have the sole power of appointing and, subject to an appeal to the Governors, of dismissing all Assistant Teachers in such School; but shall forthwith notify every appointment in writing to the Governors. The Head Master or Head Mistress of each School shall also determine, subject to the approval of the Governors, in what manner the sum assigned by the Governors to such School for Assistant Teachers and plant or apparatus shall be distributed. The Governors shall pay the sum assigned either through the hands of the Head Master or Head Mistress of such School, or directly, as they think best. 20

Head Masters may
submit proposals.

53. The Head Master or Head Mistress of any School may from time to time submit proposals to the Governors for making or altering regulations as to any matter within their province, and the Governors shall consider such proposals and decide upon them.

Income of Head
Master.

54. The Head Master or Head Mistress of each School shall receive a fixed stipend of £200 a year, and shall also receive payment according to the number of scholars in such School, that is to say, such sum calculated upon such a scale, uniform or graduated, as may be agreed upon between such Head Master or Head Mistress and the Governors, being at the rate of not less than £3 nor more than £6 yearly for each scholar up to the number of 300. When the number of 30
scholars exceeds 300, the minimum payment for each scholar in excess of that number shall be £2 yearly. All payments under this clause shall be made terminally or quarterly, as the Governors shall think fit.

Pensions.

55. The Governors may, if they think fit and the income of the Trust suffice for the purpose, agree with the Head Master of either School of the Foundation for the formation of a fund in the nature of a Pension or Superannuation fund, the main principles of such agreement being that such Head Master and the Trust shall each contribute annually for a period of 20 years such sums as may be agreed upon; that these contributions shall accumulate at compound interest; that in case any such Head Master serves his office for 20 years he shall on his 40
retirement be entitled to the whole fund; that in case he retires earlier on account of permanent disability from illness he shall also be entitled to the whole fund; that in all other cases he on his ceasing to be Head Master, or, in case of his death, his representatives shall be entitled to the amount produced by his own contributions. A like agreement may be made with the Head Mistress of any Girls' School of the Foundation.

To whom Schools
are open.

56. Subject to the regulations made by or under the authority of this

Scheme, the Boys' and Girls' Schools of the Foundation and all their advantages shall be open to all boys and girls respectively who are of good character and of sufficient bodily health, and who are residing with their parents, guardians, or next friends, or are boarders under the provisions of this Scheme.

57. Applications for admission to any School shall be made to some person appointed by the Governors, according to a printed form to be by them approved and delivered to all applicants for admission. Mode of admission.

58. A register shall be kept of all applications, showing the date at which every application is made for the admission of a scholar, the date of admission, withdrawal, or rejection, the cause of rejection, and the age of the candidate at the date of the application: Provided that every person requiring an application to be registered shall pay such fee as the Governors may fix, not exceeding 10s. Register of applications.

59. Every candidate for admission into any School shall be examined by or under the direction of the Head Master or Head Mistress of such School, who shall appoint convenient times for that purpose, and give reasonable notice thereof in writing to the parents or guardians of those whose turn is approaching. No scholar shall be admitted to any School except after passing such examination. Those who are found fit shall, if there is room for them, be admitted in order according to the dates of their application, but it shall be competent to the Governors to direct that if there is not room for all, the candidates shall be admitted in order of merit, as shown by the results of such examination, regard being had to the age of the several candidates. Entrance examinations.

60. Except as is herein otherwise expressly provided, each scholar shall pay such entrance and tuition fees as the Governors shall fix from time to time, provided that no such entrance fee shall exceed £5 and that no such tuition fee shall be less than £20 or more than £30 a year. No preference shall be given to any scholar in respect of such fees on account of his or her place of birth or residence. No extras of any kind shall be allowed without the sanction of the Governors and written consent on behalf of the scholar concerned. Payments for entrance and tuition.

61. All payments for entrance and tuition shall be made in advance to such person as the Governors shall from time to time appoint for the purpose, and shall be accounted for by the person receiving them to the Governors, and treated by them as part of the income of the Trust applicable exclusively to the benefit of the School in respect of which they were made.

62. The Governors shall make regulations from time to time for fixing the age of admission to the several Schools. No scholar shall be allowed to remain in any School beyond the end of the School term or half year in which he or she attains the age of 19 years. And the Head Master or Head Mistress of each School shall be at liberty to make arrangements for the withdrawal of scholars in cases where from idleness or incapacity to profit by the instruction given they are materially below the standard of position and attainment proper for their age. No scholar shall be allowed to remain in any School beyond the end of the term in which he or she attains the age of 13 years, unless he or she has within the previous year passed a satisfactory examination in reading, writing, arithmetic, English grammar and dictation, and the elements of geography; and the Governors shall make regulations for testing the attainments of such scholars by some Examiner to be appointed by them. Ages of Scholars.

Examinations.

63. There shall be once in every year an examination of the scholars in each School of the Foundation by an Examiner or Examiners appointed for that purpose by the Governors, and paid by them, but otherwise unconnected with such School. The Examiners shall make a report in writing to the Governors on the proficiency of the scholars and on the position of the several Schools as regards instruction and discipline, as shown by the results of the examination. The Governors shall communicate to the Head Master or Head Mistress of each School the report relating to such School.

Reports of Head Masters and Head Mistresses.

64. The Head Master or Head Mistress of each School shall make an annual report in writing to the Governors on the general condition of such School, and on any special occurrences during the year. He or she may also mention the names of any scholars who in his or her judgment are worthy of praise or substantial reward, having regard both to proficiency and to conduct. 10

CLASSICAL SCHOOL FOR BOYS.

Qualification and title of Head Master.

65. The Head Master of the Classical School for boys shall be a graduate of some University within the British Empire. The circumstance that he has or has not taken or made any oath or declaration on obtaining a degree shall not affect his qualification.

Entrance examination.

66. The examination for admission to the Classical School shall be graduated according to the age of the candidates, but it shall never fall below the following standard, that is to say,— 20

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ;
The outlines of English History ; and
The elements of Latin Grammar.

The Governors may raise the minimum standard from time to time, if they deem it advantageous for the School.

Subjects of instruction.

67. The subjects of secular instruction in the Classical School shall be as follows :— 30

English, Latin, and Greek languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
French and German ;
Drawing ;
Class Singing.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the Head Master shall settle the arrangements and classification of instruction in the prescribed subjects. 40

MODERN SCHOOL FOR BOYS.

68. The Head Master of the Modern School for boys shall be a graduate of some University within the British Empire. The circumstance that he has or has not taken or made any oath or declaration on obtaining a degree shall not affect his qualification. Qualification of Head Master.

69. The examination for admission to the Modern School shall be graduated according to the age of the candidates, but it shall never fall below the following standard, that is to say,— Entrance examination.

10 Reading ;
 Writing from dictation ;
 The first four rules of Arithmetic ;
 The Geography of England ;
 The outlines of English History ; and
 The elements of French Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

70. The subjects of secular instruction in the Modern School shall be as follows :— Subjects of instruction.

20 English, French, and German languages and literatures ;
 Arithmetic and Mathematics ;
 History and Geography ;
 Natural Science, and in particular Experimental Physics and Chemistry ;
 Latin ;
 Drawing ;
 Class Singing.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the Head Master shall settle the arrangements and classification of instruction in the prescribed subjects.

HIGH SCHOOL OR SCHOOLS FOR GIRLS.

30 71. The examination for admission to any High School for Girls shall be graduated according to the age of the candidate, but it shall never fall below the following standard, that is to say,— Entrance examination.

 Reading ;
 Writing from dictation ;
 The first four rules of Arithmetic ;
 The Geography of England ; and
 Plain Needlework.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the Schools.

Subjects of instruction.

72. The subjects of secular instruction in the High School or Schools shall be such as to give a liberal education, and shall be settled from time to time by the Governors. They shall include :—

The English language and literature ;
The Latin, French, and German languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
Political Economy ;
Domestic Economy ;
Callisthenics ;
Laws of Health ;
Drawing ;
Class Singing.

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The Governors shall have power to direct that arrangements be made for giving special importance to any one or more of the prescribed subjects ; but, subject to such power, the Head Mistress shall settle the arrangements and classification of instruction in the prescribed subjects.

PART V.—SCHOLARSHIPS AND EXHIBITIONS.

73. There shall be eventually 153 scholars on the Foundation, of whom 57 shall be scholars in the Classical School, 57 scholars in the Modern School, and 39 scholars in the High School or High Schools for girls : Provided that during the continuance of the interest of any scholar hereinbefore saved, the Governors shall have liberty to treat as scholars on the Foundation all scholars whose interests are so saved, and to augment or diminish at their discretion the number of scholars on the Foundation in the several Schools. Every scholar on the Foundation shall be entitled, by virtue of his or her Scholarship, to entire exemption from the payment of tuition fees.

74. Of the Scholarships tenable in each School (the High Schools for girls, if more than one, being considered for the purpose of this clause as one School), one third shall be open only to candidates between the ages of 12 and 14 years whether attending the Schools or not, and shall be awarded, in the case of boys according to the results of competitive examination, and in the case of girls either according to the results of competitive examination or according to some like test of merit to be from time to time prescribed by the Governors. The remaining two thirds of the Scholarships tenable in each School shall be awarded according to the results of competitive examination under such regulations as the Governors may make from time to time. Reasonable notice by advertisement in the public newspapers shall be given of all Scholarships open to candidates not attending the Schools.

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75. The Governors shall make regulations from time to time for determining the period of tenure of all Scholarships tenable at the Schools, provided that no such period shall exceed four years. Every Scholarship tenable at the Schools

shall be liable to forfeiture on the order of the Governors in case the Head Master or Head Mistress of the School at which it is held reports that the holder is guilty of misconduct, is irregular in attendance, or fails to maintain a reasonable standard of proficiency; and no such Scholarship shall be granted to any scholar already attending any School, if the Head Master or Head Mistress reports that such scholar is rendered undeserving of it by misconduct.

76. The Governors shall in each year employ the net income payable to them under the provisions of a Scheme framed by the Endowed Schools Commissioners, and entitled a "Scheme for the Management of Lord Campden's Exhibitions," or such portion thereof as they deem expedient, in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated at the Classical School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal education.

Campden Exhibitions from Classical School.

77. The Governors shall in each year employ the sum of £1,000 in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among boys who have been educated at the Modern School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal education, or for the purpose of fitting the holder for some profession.

Leaving Exhibitions from Modern School.

78. The Governors shall in each year employ the sum of £700 in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among girls who have been educated at the High School or Schools for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any College or place for the higher education of women, or at any training institution for School Mistresses or governesses, or applicable for the professional training of the holder in any other way which the Governors may expressly sanction in each individual case.

Leaving Exhibitions from High School or Schools for girls.

79. All Exhibitions tenable by scholars after leaving the Schools shall be tenable only for the purposes of education, general or professional. They shall be payable by instalments at such intervals as the Governors shall direct. If the holder of an Exhibition dies, his or her representatives shall be entitled only to the next ensuing payment of an instalment whenever payable. If the holder becomes a bankrupt, or is guilty of gross misconduct or idleness, or wilfully ceases to pursue his or her education, it shall be competent to the Governors to determine the Exhibition as from the last preceding payment of an instalment.

Exhibitions when voidable.

80. Subject to the provisions of this Scheme, the Governors shall from time to time make regulations for determining the number, value, period, and conditions of award and tenure of all Exhibitions tenable by scholars after leaving the Schools, and all other matters relating to such Exhibitions.

Particulars of Exhibitions to be settled by Governors.

PART VI.—APPLICATION OF INCOME.

81. The Governors shall charge the income of the endowment of the Trust with the payment of a sum of 300*l.* per annum to be placed to a separate account, entitled the Repairs and Improvements Fund Account, and applied to ordinary repairs or improvements of the property used for the purposes of the Schools of

Repairs and improvements.

the Foundation, and if not wanted for that purpose to be accumulated and paid to the credit of such separate account for repairs and improvements. The Governors at their discretion may draw upon the accumulations, if any, for the purposes of repairs or improvements, ordinary or extraordinary.

Other expenses.

82. After defraying the expenses of any legal claims which may be chargeable on the Trust and the cost of any ordinary repairs or improvements which the money standing to the credit of the Repairs and Improvements Fund Account may be insufficient to answer, the Governors shall employ the net income of the Trust for the general purposes of the Schools in accordance with the provisions of this Scheme. Provided that the amount assigned out of the net income of the 10
endowment of the Trust for the purposes of the High School or High Schools for girls shall not in any year be less than one fourth part of the said net income for that year, and that the residue of the said net income shall be assigned to the Classical School and Modern School in such shares that the amount assigned out of the net income of the endowment of the Trust for the purposes of the Modern School shall in each year be fairly adjusted in proportion to the aggregate of the amounts assigned in such year out of the said net income and out of the income of Lord Campden's Exhibitions Trust for the purposes of the Classical School, due regard being had to the number of scholars attending the said Schools respectively.

Residue.

83. If in any year there is any residue of the income assigned to any School, 20
the Governors may employ it in increasing the stipend of the Head Master or Head Mistress or the amount applicable to the maintenance of Assistant Teachers and of School plant or apparatus, in improving the accommodation of the School buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of such School. Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as Unapplied Surplus, applicable exclusively to such School, and deposit in a bank; and whenever the sums so deposited rise to £500 over and above a reasonable current balance, they shall invest the same in the name of the Official Trustees of Charitable Funds to the credit of the Trust, for the benefit of the School or Schools in respect of which 30
such unapplied surplus shall have been stated.

Unapplied surplus.

PART VII.—GENERAL.

Further endow-
ments.

84. The Company or the Governors may receive any additional donations or endowments for the general purposes of the Foundation or the Schools thereof. They may also receive donations or endowments for any special objects directed by the donors, provided that such objects are certified by the Charity Commissioners to be for the general benefit of the Foundation or of any School thereof, and not calculated to give privileges to any scholar without regard to merit, and not otherwise inconsistent with or calculated to impede the due working of the provisions of this Scheme.

Charity Commis-
sioners to decide
doubtful questions.

85. If at any time any doubt or question arises among the Governors, or between the Company and the Governors, as to the proper construction or application of any of the provisions of this Scheme, the Governors and the Company, if necessary, shall apply to the Charity Commissioners for their opinion and 40

advice thereon, which opinion and advice when given shall be binding on the Governors and on the Company, if concerned.

86. The Charity Commissioners may from time to time, in the exercise of their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869 and 1873. Charity Commissioners to make new Schemes.

87. The Governors shall cause this Scheme to be printed and a copy to be given to every person who shall become a Governor, and to every Master, Mistress, and Teacher appointed to any School of the Foundation, and copies shall be sold at a reasonable price to all purchasers. Scheme to be printed and sold.

88. The date of this Scheme shall be the day on which Her Majesty by Order in Council declares Her approbation of it. Date of Scheme.

For the consideration of the Mercers' Company.

CITY OF LONDON.

ENDOWED SCHOOLS COMMISSION.

DRAFT SCHEME for the Management of LORD CAMPDEN'S Exhibitions for Scholars proceeding from ST. PAUL'S SCHOOL in LONDON to any College in either of the Universities of Oxford or Cambridge.

- | | | |
|---|--|----|
| Object. | 1. The object of the above-named Trust shall be to promote liberal education. | |
| Repeal. | 2. From the date of this Scheme all the particulars which by the Endowed Schools Act, 1869, sec. 46, are capable of being hereby repealed and abrogated, shall, so far as relates to the management of the Trust, be repealed and abrogated. | 10 |
| Governing Body. | 3. From and after the date of this Scheme the Governing Body of the Trust shall be a Governing Body, hereinafter called the Governors, established under the provisions of a Scheme framed by the Endowed Schools Commissioners, and entitled a "Scheme for the Management of St. Paul's School in London founded " by Dean Colet." | |
| Management of property and application of income. | 4. The property of the Trust shall continue to be vested in and managed by the Mercers' Company, hereinafter called the Company, in the same manner as the property of the Foundation of St. Paul's School in London, and the net income of the Trust shall be paid by the Company to the Governors at such times and intervals and in such manner as may be authorised or prescribed from time to time by the Charity Commissioners : and such net income shall be applied by the Governors in accordance with the provisions in that behalf contained in the said Scheme for the management of St. Paul's School. Provided that the scheme shall not affect the tenure by any person of any Exhibition payable out of the endowments of the Trust, which was held by him, or had been awarded to him on or before the day of | 20 |
| Charity Commissioners to decide doubtful questions. | 5. If at any time any doubt or question arises among the Governors, or between the Company and the Governors, as to the proper construction or application of any of the provisions of this Scheme, the Governors, and the Company, if necessary, shall apply to the Charity Commissioners for their opinion and advice thereon, which opinion and advice when given shall be binding on the Governors, and on the Company, if concerned. | 30 |

6. The Charity Commissioners may from time to time in the exercise of their ordinary jurisdiction frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869 and 1873. Charity Commissioners to make new Schemes.

7. The Governors shall cause this Scheme to be printed and a copy to be given to every person who shall become a Governor. Scheme to be printed.

8. The date of this Scheme shall be the day on which Her Majesty by Order in Council declares Her approbation of it, or the day immediately after the date of the said Scheme for the management of St. Paul's School, whichever shall last happen. Date of Scheme.

Mercers' Hall :
February 3, 1875.

MY LORDS,

Referring to the advertisement of the 5th January 1875 and to the Copy of the published Scheme which the Mercers' Company have received from the Endowed Schools Commission for the future management of St. Paul's Schools and Viscount Campden's Exhibition I am requested by the Court of Assistants of the Mercers' Company to state that they have given the Scheme their most anxious consideration and while on the one hand desirous of utilising to the greatest possible extent the funds at the disposal of Dean Colet's Trust for the purposes of education they cannot forget that the founder of the School himself a Mercer and the son of a Mercer "left it wholly to the discretion and charity of the fellowship of the Mercery of London"—I mean of the Wardens and Assistants "of the fellowship with such other Council as they shall call unto them good lettered and learned men"—to alter his ordinances and to supply any defects therein. The Court of Assistants therefore submit for the consideration of your Lordships that the Governing Body of the New Schools shall consist of at least 12 Mercers to 8 other lettered and learned men, or in the event (as the Court trust may be the case) of your Lordships being of opinion that the Governing Body may in nearer accordance with the Founder's Ordinances consist of more than twenty that a large number of the Court may be appointed keeping the same proportion as mentioned above. 10 20

The Court of Assistants are not able to approve of the introduction of women on the Governing Body for the management of the Girls' School. They feel that women are seldom versed in matters of business or conversant with the many conflicting opinions which prevail on the subject of the best method of educating girls and they cannot but think that the Governing Body would conduct their deliberations more satisfactorily without the presence of Lady Governors. They regret that probably in this opinion they may differ with many persons of judgment and experience, and they are aware that it is very much the fashion of the day to credit ladies with business capacity but they do not know that any success has attended the experiment. 30

The Court think that the object which it is sought to attain by the appointment of Lady Governors will be equally served by a power being given to the Governing Body to call in the assistance of a Committee of ladies to consult with the Governors on any questions on which the experience of ladies will be of use in the management of the Girls' School.

There are other points in the Scheme to which the Court of Assistants desire to bespeak the attention of your Lordships and to which they made objection when conferring with the Endowed Schools Commission. As however the Court did not in their letter to the Commissioners enter on these subjects they do not feel justified in now laying them before your Lordships although they hope to be permitted before the Scheme is finally settled to have an opportunity of so doing. 40

I have the honour to be, my Lords,
Your Lordships' most obedient humble servant,
(Signed) MARKLAND BARNARD, Junr.,
Master.

To the Lords of the Committee
of the Privy Council on Education.

34 Clement's Lane, London.
5th March 1875.

P. CUMIN Esqre.,
Secretary of the Committee of
Council on Education.

ST. PAUL'S SCHOOL.

SIR,

Referring to our interview which I had with you a few days since when you requested me to state in writing the objections of the Mercers' Company to certain parts of the Scheme for the future management of St. Paul's School to which the Court of Assistants did not call attention in their letter of the 3rd February 1875 to the Committee of Council for the reasons stated therein I beg to say that the Court of Assistants of the Company wish to call the attention of the Committee of Council to the following points viz.:—

1. That Dean Colet the Founder of the School made provision by Statutes and Ordinances during his lifetime for the free education for ever of 153 poor boys and the Court wish to urge most strongly that such original institution shall be adhered to for the future.
2. The Court also wish to draw the attention of the Committee of Council to the great power given by the Scheme to the High Master and they desire that the new governing body should have at least the power to confirm or otherwise the appointments of Under Masters.
3. The Court also feel very strongly that inasmuch as St. Paul's School has been in connection with the Church of England ever since the Reformation it is expedient that such connection shall be continued and that the Doctrines of the Church of England shall for the future be taught in the Schools to be established under the Scheme.
4. The Court submit that the vested interests of any persons arising previously to the date of the Scheme should not be affected by the Scheme.

30

I have the honor to be, Sir,

Your obedient servant
(Signed) JOHN WATNEY.

Education Department.

Whitehall, London, S.W..

28 April 1875.

LONDON—ST. PAUL'S SCHOOL AND LORD CAMPDEN'S EXHIBITION—E.S. 321.

Sir,—I am directed to state that my Lords have carefully considered the Scheme with respect to St. Paul's School which has been submitted to them by the Charity Commissioners and the various objections to its provisions.

I am to state that my Lords would be prepared to modify the Scheme in certain particulars if such modification would have the effect of satisfying the various parties interested in this great endowment.

1. Provision will be made that the new Schools shall be erected in some place situate within the jurisdiction of the Metropolitan Board of Works.

2. Provision shall be made that the new Governing Body shall have the option of establishing instead of two separate Schools viz. a Classical and a Modern School a single School under a High Master consisting of two departments a Classical and a Modern Department. The powers and jurisdiction of the High Master over the Master of the Modern Department being left to the discretion of the Governors.

3. Provision shall be made that the Governing Body of the Boys' and Girls' Schools, shall consist of 22 Governors of whom one shall be the Master and three the Wardens of the Mercers' Company for the time being 9 shall be appointed by the Court of Assistants of the Company and the remaining 9 shall be appointed by the Universities of Oxford and Cambridge and London as provided for by the Scheme.

4. The following addition shall be made to Clause 39 "and such religious instruction shall be in accordance with the principles of the Church of England."

5. Provision shall be made that there shall be 153 Scholars on the foundation of the Boys' Schools of whom 77 shall be Scholars in the Classical School and 76 in the Modern School and 39 Scholars on the foundation of the High School or Schools for Girls.

6. Provision shall be made by alteration of the dates or otherwise in Clause 5 of the Scheme that it shall not affect the interest of any Scholar or Exhibitioner who was a Scholar or Exhibitioner at the date of the Scheme.

7. If the School is divided the classical School shall be called St. Paul's School the Modern School St. Paul's Modern School. The Girls' School shall be called Dean Colet's School.

8. I am to add that if these modifications do not prove acceptable to your Company My Lords must reserve to themselves power to reconsider their position and to determine whether the Scheme should not be approved as it stands.

I have the honor to be, Sir,

Your obedient Servant,

(Signed) P. CUMIN.

JOHN WATNEY, Esq.,

34 Clement's Lane, E.C.

[SCHEME OF 1876.]

L.S.

AT THE COURT AT WINDSOR,

The 24th day of March, 1876.

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS the Commissioners appointed for the purposes of "The Endowed Schools Act, 1869," have, in virtue of the powers conferred upon them by that Act, and of every other power enabling them in that behalf, made two Schemes, numbered 321 and 322, relating to London, St. Paul's School and Lord Campden's Exhibitions.

And whereas all the conditions in regard to the said Schemes, which are required to be fulfilled by the said Act, and by "The Endowed Schools Acts, 1873 and 1874," have been fulfilled. Now, therefore, Her Majesty, having taken the said Schemes (copies whereof are herewith annexed) into consideration, is pleased, by and with the advice of Her Privy Council, to declare, and doth hereby declare, Her approval of the same.

C. L. PEEL.

SCHEMES ABOVE REFERRED TO.

321.

As approved by the Committee of Council on Education.

412.

Endowed Schools Commission.

SCHEME for the Management of ST. PAUL'S SCHOOL, in LONDON,
founded by DEAN COLET.

PART I.—GENERAL.

1. The object of the above-named Foundation shall be to supply liberal education for boys and girls by means of Schools in or near London. Object.

2. From the date of this Scheme all the particulars which by the Endowed Schools Acts, 1869, 1873, and 1874 are capable of being hereby repealed and abrogated shall, so far as relates to the management of the Foundation but not to the vesting of the property thereof in the Mercers' Company, hereinafter called the Company, be repealed and abrogated. Repeal.

3. From the date of this Scheme all rights and powers (if any) reserved or belonging to, or claimed or capable of being exercised by any body corporate, Jurisdiction Visitor.

persons or person, other than Her Majesty, as Visitors or Visitor of the Foundation, shall be transferred to Her Majesty, and all such rights and powers and also any like rights and powers vested in Her Majesty on the 2nd day of August, 1869, shall be exercised only through and by the Charity Commissioners for England and Wales.

Jurisdiction of Ordinary.

4. From the date of this Scheme all jurisdiction of the Ordinary relating to or arising from the licensing of any Master in any endowed School of the Foundation shall be abolished.

Saving of rights and interests.

5. Notwithstanding anything herein contained this Scheme shall not affect any of the following vested interests, viz. :—

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- (1.) The interest of any scholar who was a scholar on the Foundation of St. Paul's School at the date of this Scheme :
- (2.) The tenure by any person of any Exhibition payable out of the endowments of the Foundation, which was held by him, or had been awarded to him on or before the date of this Scheme :
- (3.) Such interest as any teacher or officer of the Foundation appointed to his office before the 25th June, 1868, may have :
- (4.) Such interest as the Rev. James Cooper, Mrs. Mary Ann Roberts, and Catherine Welsh may have in any pension or compensation allowance payable out of the endowments of the Foundation to which they were severally entitled on the 25th June, 1868.

20

PART II.—MANAGEMENT OF PROPERTY.

Management of property.

6. All the estates and property of the Foundation shall continue to be and shall be vested in the Company, and all such of the said estates and property as shall not for the time being be used or occupied for the purposes of the several Schools of the Foundation, or of their respective play-grounds and appurtenances, shall continue to be managed by the Company, or by their Court of Assistants, or by their officers acting under their orders, according to the general law applicable to the management of property by Trustees of Charitable Foundations. Any money arising from the sale of timber or from any mines or minerals, belonging to the Foundation, shall be treated as capital, and invested in any such securities as may from time to time be authorised by any Act of Parliament or by the Court of Chancery for the investment of trust funds, except in any special cases in which the Company may be authorised by the Charity Commissioners to apply such money or any part thereof as income.

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Raising Money.

7. All capital sums which, under the provisions of this Scheme, the Company may be required to raise shall be raised by them by sale or mortgage of the real or personal property of the Foundation, or by both those means, or otherwise, on such terms, and subject to such conditions as may be sanctioned or prescribed by the Charity Commissioners in each case.

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The provisions of the Charitable Trusts Act, 1853, and The Charitable Trusts Amendment Act, 1855, as to discharge of debts by means of instalments, a sinking fund, or otherwise, shall not apply to any money charged or to be raised under this clause, but the Charity Commissioners may at their discretion require that any debt created under this clause shall be discharged in such manner and within such time as they may think fit to prescribe.

8. The Company shall make such arrangements as they think fit for the custody of all muniments, title deeds, and other documents belonging to the estates and property of the Foundation, for deposit of money, for drawing cheques, and for the appointment and payment of a Clerk and of officers for the conduct of the business relating to the estates and property of the Foundation. Conduct of business.

9. The accounts of the estates and property of the Foundation shall be made up and balanced to the 31st day of December in every year. The accounts shall be signed by the Master or one of the Wardens of the Company within two calendar months after the day to which they are made up. As soon as practicable Accounts.
10 after the accounts are so signed they shall be audited.

10. With respect to the audit of the said accounts the following provisions Audit.
shall have effect :

- (1) The auditor in each year shall be appointed by the Lord Mayor, and shall receive such remuneration as the Company, subject to the approval of the Charity Commissioners, may direct ; and such remuneration, together with the expenses of or incident to the audit, shall be paid by the Company out of the income of the Foundation.
- 20 (2) The audit shall be held at the office of the Company or at some other convenient place to be named by them, and at a time to be fixed by the Auditor, but to be as soon as possible after the accounts are signed :
- (3) The Auditor, at least fourteen days before holding the audit, shall serve on the Company and on the Governing Body hereinafter constituted under this Scheme notice of the time and place of holding the audit :
- (4) The Clerk of the Company or some person authorised by them shall attend the audit and produce to the Auditor all books, bills, vouchers, and documents relating to the accounts :
- 30 (5) Any member of the Company or of the said Governing Body may be present at the audit and object to the accounts :
- (6) The Auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the accounts, as in the case of an audit of the accounts of the School Board for London, and the Governors or any person aggrieved by the decision of the Auditor shall have a right of appeal to the Charity Commissioners, whose decision shall be final :
- 40 (7) Subject to the provisions of this clause the Charity Commissioners may from time to time make such regulations as may in their opinion be necessary respecting the form of keeping the accounts and the audit thereof.

When the Auditor has completed the audit he shall sign the balance-sheet.

11. The Company shall in each year cause a statement of accounts, showing their receipts and expenditure in respect of the Foundation for the preceding year, to be printed in such form and with such particulars as may be from time to time prescribed by the Charity Commissioners, and shall send the same within thirty days after the balance sheet is signed by the Auditor to the Governing Body hereinafter constituted under this Scheme, and to the Charity Commissioners, and Statement of accounts.

publish an advertisement thereof in two London daily newspapers, and cause copies to be sold to all applicants at a price not exceeding threepence for each copy.

School buildings.

12. The present and any future buildings and playgrounds used for the purposes of the School or Schools of the Foundation, with their respective appurtenances, shall, so long as they respectively continue to be so used, be respectively managed by the Governing Bodies hereinafter constituted under this Scheme without interruption by the Company.

Application of income.

13. The Company may, with the sanction of the Charity Commissioners, from time to time make such donations and annual allowances or subscriptions out of the income of the estates and property of the Foundation as they may think fit, having regard to the income derived from the estates in respect of which donations or subscriptions are proposed to be made. After paying such donations or subscriptions, and after defraying the expenses of management incurred under the provisions of Parts I., II., and VII. of this Scheme, including a reasonable sum for providing the yearly Apposition dinner, the Company shall pay the net income of the Foundation to the Governing Body of the Boys' Schools hereinafter constituted under this Scheme at such times and intervals, and in such manner as may be authorised or prescribed from time to time by the Charity Commissioners. 10

PART III.—CONSTITUTION OF GOVERNING BODY OF SCHOOL.

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Governing Body of Boys' Schools.

14. The Governing Body of the Boys' Schools of this Foundation shall consist, when complete, of 22 Governors, of whom one shall be the Master and three the Wardens of the Company for the time being, nine shall be appointed by the Court of Assistants of the Company, and the remaining nine shall be appointed as follows :—

Three by the Hebdomadal Council of the University of Oxford ;
Three by the Council of the Senate of the University of Cambridge ; and
Three by the Senate of the University of London.

Every Governor other than the Master and Wardens of the Company shall be appointed to hold office for five years and then retire. 30

Management of Girls' Schools.

15. For the management of the Girls' School or Schools to be established under the provisions of this Scheme, the Governing Body of the Boys' Schools shall, as soon as conveniently may be after the completion of the buildings for any such Girls' School in pursuance of the provisions of this scheme, and at their first meeting in every fifth year afterwards, appoint four women to act jointly with them as Governors of the Girls' School or Schools of the Foundation. The whole body of 26 Governors so constituted shall have the management of such Girls' School or Schools, and of the buildings thereof and of the income to be appropriated under this Scheme for the education of girls.

Interpretation of "Governors."

16. The word "Governors" in this Scheme shall mean the Governing Body of 22 members for the Boys' Schools or the Governing Body of 26 members for the Girls' School or Schools, as the circumstances and context require. If any doubt arises as to the meaning of the word "Governors" in any instance, the matter shall be referred to the Charity Commissioners, whose decision shall be final. 40

17. If, during his term of office, any Governor, other than the Master and Wardens of the Company, becomes bankrupt or incapacitated to act, or expresses to the Governors in writing his wish to retire, or fails for the space of one year to attend any meeting, the Governors shall, after notice to such Governor at his last known place of residence in England, cause a record of the fact to be entered in their books, and notify the same to the body by whom he was appointed; and upon such record being entered the Governor to whom it applies shall cease to be a Governor; and thereupon or upon the death of any Governor other than the Master and Wardens of the Company, the proper body shall proceed to appoint a
 10 successor to the vacant place. A Governor vacating office by retirement or non-attendance only shall not be thereby disqualified for re-appointment.

Vacation of office.

18. No Master or Mistress of any School of the Foundation may be a
 Governor. Masters.

19. Religious opinions, or attendance or non-attendance at any particular form of religious worship, shall not in any way affect the qualification of any person for being a Governor under this Scheme. Religious opinions.

20. Every Governor shall, at or before the first meeting he attends in that character, sign a memorandum declaring his acceptance of the office of Governor and his willingness to do his duty as such, and to act in the trusts of this Scheme; and until he has signed such a declaration he shall not be entitled to act. Acceptance of office.

21. Within one month from the date of this Scheme the Master of the Company shall issue to each body having the right of appointing a Governor or Governors, notice in writing of a meeting of the Governors, to be held at some convenient place, at an interval of not less than seven and not more than twenty-eight days from the date of such notice. No meeting of the Governors shall be held before the date specified in such notice. Afterwards the Governors shall from time to time summons and hold meetings in some convenient place to be fixed by themselves as often as may be found necessary for the management of the several Schools, with their respective sites, playgrounds and appurtenances (hereinafter
 30 referred to as the Trust), and at least twice in each year, on some convenient days to be appointed by themselves. Meetings of Governors.

22. The Master of the Company shall be *ex-officio* Chairman of the meetings, and the Governors shall, at their first meeting in each year, make regulations for supplying his place whenever he is absent. Chairman.

23. A quorum shall be constituted whenever seven Governors are present; and any such quorum may act notwithstanding a vacancy or vacancies in the whole number of Governors. Whenever any decision is made in favour of which less than a majority of the Governors for the time being entitled to act have voted, it shall be competent to any two Governors, within seven days from the day of the
 40 decision, to demand that the decision shall be once reconsidered at a special meeting, to be held at an interval of not less than fourteen and not more than twenty-one days after the meeting at which such decision was made. Quorum.

24. The Chairman or any two Governors may at any time summon a special meeting for any cause that seems to him or them sufficient. Special Meetings.

25. All special meetings shall be convened by notice in writing to the Governors, specifying the object of the meeting. And it shall be the duty of the Notice.

Clerk to the Governors to give such notice when required by the Chairman or any Governors having a right to summon such a meeting.

Voting.

26. Save as is herein otherwise provided, all matters and questions shall be determined by the votes of the majority of the Governors present at any meeting ; and in case of equality of votes, the Chairman of the meeting shall have a second or casting vote.

Adjournment of meetings.

27. If at any meeting there is not a sufficient number of Governors present to constitute a quorum, or if the business at any meeting is not fully completed, the Governors present may adjourn the meeting to a subsequent day, of which notice shall be given to all the Governors.

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Books.

28. A minute book and proper books of account shall be provided by the Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for the purpose.

Minutes.

29. Minutes of all proceedings of the Governors shall be entered in the minute book and duly signed. In the same book shall be recorded the entry into office of every new Governor, and the names of all the Governors present at each meeting, whether a quorum is constituted or not.

Accounts.

30. Full accounts shall be kept of the receipts and expenditure of the Governors, and such accounts shall be stated for each year, and examined and passed annually at some meeting within the first two months of the ensuing year, and signed by the Governors then present.

20

Publication of abstracts and reports.

31. The Governors shall in the first quarter of each year cause abstracts of the accounts for the preceding year to be prepared in accordance with the forms appended to this Scheme, unless some form is prescribed by the Charity Commissioners, in which case the form so prescribed shall be followed. The Governors shall at the same time and in the same manner cause annual statements of the progress of the Schools to be prepared. Such abstracts of accounts and such statements for the past year they shall cause to be printed together and published forthwith, and shall advertise such publication in at least two London daily newspapers, and sell copies of the whole set of abstracts and statements so published at such price as they shall think fit, not exceeding sixpence for each copy, to all applicants.

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Custody of documents and appointment of agents.

32. The Governors shall make arrangements for the custody of all documents belonging to the Trust, for deposit of money, for drawing cheques, and for the appointment of a Clerk for the conduct of their business. If any such Clerk is himself a Governor he shall not receive a salary.

Management.

33. The property of the Trust, so far as the management thereof is under the provisions of this Scheme vested in the Governing Bodies of the Schools, shall be managed by the Governors, or by their officers acting under their orders, according to the general law applicable to the management of property by trustees of Charitable Foundations.

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Precept for raising money.

34. In order to raise any capital sum which the Governors may from time to time be authorised to expend under the provisions of this Scheme, the Governors may serve their precept on the Company requiring the same in manner hereinbefore provided, and the Company shall forthwith proceed to raise and pay the same to the Governors accordingly. If any doubt arises as to the validity of any precept, the Company or the Governors may refer the question to the Charity Commissioners, whose decision shall be final.

PART IV.—THE SCHOOLS.

35. So soon as conveniently may be after the date of this Scheme the Governors shall proceed to acquire such sites, including adequate playgrounds, in some place or places situated within the jurisdiction of the Metropolitan Board of Works as shall be necessary for carrying out the provisions of this Scheme, it being intended that the Foundation shall ultimately comprise:—

Schools, sites,
buildings.

(1) A Classical School, to be called St. Paul's School, for about 500 boys;

(2) A Modern School, to be called St. Paul's Modern School, for about 500 boys;

10 (3) A High School or High Schools, to be called Dean Colet's School or Schools, for not less than 400 girls in all;

such Schools to be established in such order of priority as the Governors may deem to be most expedient.

The acquisition of each site shall, so far as regards the size and situation of the same, be subject to the approval of the Charity Commissioners. So soon as any such approval has been obtained the Governors shall proceed to erect on the approved site buildings, according to plans to be subject to such approval as aforesaid, suitable for the School intended. For all or any of the above purposes they may from time to time expend such capital sums as may be sanctioned

20 by the Charity Commissioners.

36. The Governors shall, whenever a convenient opportunity offers, and with the sanction of the Charity Commissioners, entirely remove St. Paul's School from the existing buildings in St. Paul's Churchyard. From and after such removal the said buildings and their appurtenances and the site thereof shall be managed by the Company as part of the general property of the Foundation.

Removal of St. Paul's
School.

37. All the Schools of the Foundation shall be Day Schools, but the Governors shall have power to admit to all or any of the Schools boys and girls boarding in the houses of Masters or Mistresses, or in such other houses as may from time to time be approved by the Governors.

Day Schools.

30 38. No person shall be disqualified from being a Master in any of the Schools by reason only of his not being, or not intending to be, in Holy Orders.

Holy Orders.

39. Subject to the provisions hereinafter contained, the Governors and the Head Master or Head Mistress of each School shall, within their respective departments as herein defined, make proper provisions for religious instruction in such School, and such religious instruction shall be in accordance with the principles of the Church of England.

Religious
Instruction.

40. No alteration in any regulations made by the Governors respecting the religious instruction given at any School shall take effect until the expiration of not less than one year after notice of the making of the alteration is given.

Endowed Schools
Act, 1873, s. 11.

40 41. The parent or guardian of or person liable to maintain, or having the actual custody of any day scholar in any School of the Foundation may claim by notice in writing addressed to the Head Master or Head Mistress of such School the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly; and a scholar shall not by reason of any exemption

Endowed Schools
Act, 1869, s. 15.

from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantage or emolument in any School of the Foundation or out of any endowments affected by this Scheme to which he or she would otherwise have been entitled. If any teacher in the course of other lessons at which any such scholar is in accordance with the ordinary rules of the School, present, teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as provided by this clause, the Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of. 10

Appointment of
Head Masters and
Head Mistresses.

42. Every Head Master and every Head Mistress shall be appointed by the Governors. Every such appointment shall be made at a meeting to be called for the purpose, as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers and by such other methods as they may think fit.

Dismissal without
assigning cause.

43. The Governors may dismiss any Head Master or Head Mistress without assigning cause, after six calendar months' written notice, given in pursuance of a resolution, passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter. 20

Dismissal for urgent
cause.

44. For urgent cause the Governors may, by a resolution passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter, suspend any Head Master or Head Mistress from office, and in that case they shall appoint another special meeting to be held at an interval of not less than a fortnight after the former one, and may then, by a resolution, likewise passed by a majority of votes of the whole number of Governors for the time being entitled to act, wholly and finally dismiss him or her. Full notice and opportunity of defence at both meetings shall be given to such Head Master or Head Mistress, as the case may be. 30

Declaration by Head
Masters or Head
Mistresses.

45. Every Head Master or Head Mistress, previously to entering into office, shall be required to sign a declaration to be entered in the minute book of the Governors, in the following form :—

“ I, _____ declare that I will always, to the best of my
“ ability, discharge the duties of Head _____ of St. Paul's _____ School
“ (or Dean Colet's School, as the case may be), during my tenure of office, and 40
“ that if I am removed by the Governors, according to the constitution of the said
“ School, I will acquiesce in such removal, and will thereupon relinquish all claim
“ to the office and its future emoluments, and deliver up to the Governors, or as
“ they direct, possession of all their property then in my possession or
“ occupation.”

46. Every Head Master and Head Mistress to whom a residence shall be assigned by the Governors shall dwell in such residence. Every Head Master and Head Mistress shall have the occupation and use of his or her residence (if any), and of any other property of the Foundation of which he or she may become occupant, in respect of his or her official character and duties, and not as tenant ; and shall, if removed from office, thereupon deliver up possession of such residence and other property to the Governors or as they may direct. No Head Master or Head Mistress shall, except with permission of the Governors, allow any person to occupy his or her official residence or any part thereof.

Occupation of Trust property by Head Masters and Head Mistresses.

10 47. Every Head Master and Head Mistress shall give personal attention to the duties of the School in his or her charge. No Head Master or Head Mistress shall hold any office or appointment which, in the opinion of the Governors, may interfere with the proper performance of his or her duties under the trusts of this Scheme, and no Head Master shall hold any benefice having the cure of souls.

Personal attention of Head Masters and Head Mistresses.

48. No Master or Mistress of any rank in the Schools shall receive or demand from any scholar or from any person whomsoever on behalf of any scholar any gratuity, or payment, other than such payments as are prescribed or authorised by this Scheme.

No gratuities to Masters or Mistresses.

20 49. Within the limits fixed by this Scheme the Governors shall in each School prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the scholars, and the number of school hours in each week, and of holidays to be given in each term. They shall take general supervision of the sanitary condition of all the School buildings and arrangements. They shall from time to time determine what number of Assistant Masters, Mistresses, or Teachers shall be employed in each School. They shall every year assign to each School the amount to be paid out of the income of the Trust for the salaries of Assistant Teachers, and for the provision of a proper plant or apparatus for carrying on the instruction given in such School.

Jurisdiction of Governors over scholastic arrangements.

30 50. Before acting under the last preceding clause the Governors shall in all cases consult the Head Master or Mistress of any School concerned, in such a manner as to give him or her full opportunity for the expression of his or her views.

Governors to consult Head Master.

40 51. Subject to the rules prescribed by or under the authority of this Scheme, the Head Master or Head Mistress of each School shall have under his or her control the method of teaching, the arrangement of classes and School hours, and generally the whole internal organization, management, and discipline of his or her School, and shall have authority over all Scholars attending such School in all places and at all times during the School terms : Provided that if any Head Master or Head Mistress expels a scholar from School, he or she shall forthwith make a full report of the case in writing to the Governors.

Jurisdiction of Head Masters and Head Mistresses.

52. The Head Master or Head Mistress of each School shall have the sole power of appointing, and, subject to an appeal to the Governors, of dismissing all Assistant Teachers in such School ; but shall forthwith notify every appointment in writing to the Governors. The Head Master or Head Mistress of each School shall also determine, subject to the approval of the Governors, in what manner the sum assigned by the Governors to such School for Assistant Teachers and plant

or apparatus shall be distributed. The Governors shall pay the sum assigned either through the hands of the Head Master or Head Mistress of such School, or directly as they think best.

Head Masters may submit proposals.

53. The Head Master or Head Mistress of any School may from time to time submit proposals to the Governors for making or altering regulations as to any matter within their province, and the Governors shall consider such proposals and decide upon them.

Income of Head Master.

54. The Head Master or Head Mistress of each School shall receive a fixed stipend of £200 a year, and shall also receive payment according to the number of scholars in such School, that is to say, such sum calculated upon such a scale, 10 uniform or graduated, as may be agreed upon between such Head Master or Head Mistress and the Governors, being at the rate of not less than £3 nor more than £6 yearly, for each scholar up to the number of 300. When the number of scholars exceeds 300 the minimum payment for each scholar in excess of that number shall be £2 yearly. All payments under this clause shall be made terminally or quarterly, as the Governors shall think fit.

To whom Schools are open.

55. Subject to the regulations made by or under the authority of this Scheme the Boys' and Girls' Schools of the Foundation, and all their advantages, shall be open to all boys and girls respectively who are of good character and of sufficient bodily health, and who are residing with their parents, guardians or 20 next friends, or are boarders under the provisions of this Scheme.

Mode of admission.

56. Applications for admission to any School shall be made to some person appointed by the Governors, according to a printed form to be by them approved and delivered to all applicants for admission.

Register of Applications.

57. A register shall be kept of all applications showing the date at which every application is made for the admission of a scholar, the date of admission, withdrawal, or rejection, the cause of rejection, and the age of the candidate at the date of the application: Provided that every person requiring an application to be registered shall pay such fee as the Governors may fix, not exceeding 10s.

Entrance examinations.

58. Every candidate for admission into any School shall be examined by or under the direction of the Head Master or Head Mistress of such School, who shall appoint convenient times for that purpose, and give reasonable notice thereof in writing to the parents or guardians of those whose turn is approaching. No scholar shall be admitted to any School except after passing such examination. Those who are found fit shall, if there is room for them, be admitted in order according to the dates of their application: Provided nevertheless, that each Governor shall have the privilege of nominating in every year one candidate for admission into some School of the Foundation, and every candidate so nominated, if found fit and otherwise admissible, shall be entitled to priority of admission over 40 all candidates not so nominated.

Payments for entrance and tuition.

59. Except as is herein otherwise expressly provided, each scholar shall pay such entrance and tuition fees as the Governors shall fix from time to time, provided that no such entrance fee shall exceed 5*l.*, and that no such tuition fee shall be less than 20*l.* or more than 30*l.* a year. No preference shall be given to any scholar in respect of such fees on account of his or her place of birth or

residence. No extras of any kind shall be allowed without the sanction of the Governors and written consent on behalf of the scholar concerned.

60. All payments for entrance and tuition shall be made in advance in such manner and to such person as the Governors shall from time to time appoint for the purpose, and shall be accounted for by the person receiving them to the Governors, and treated by them as part of the income of the Trust applicable exclusively to the benefit of the School in respect of which they were made.

61. The Governors shall make regulations from time to time for fixing the age of admission to the several Schools. No scholar shall be allowed to remain in any School beyond the end of the School term or half year in which he or she attains the age of 19 years. And the Head Master or Head Mistress of each School shall be at liberty to make regulations for the withdrawal of scholars in cases where from idleness or incapacity to profit by the instruction given they are materially below the standard of position and attainment proper for their age. No scholar shall be allowed to remain in any School beyond the end of the term in which he or she attains the age of 13 years, unless he or she has within the previous year passed a satisfactory examination in reading, writing, arithmetic, English grammar, and dictation, and the elements of geography; and the Governors shall make regulations for testing the attainments of such scholars by some Examiner to be appointed by them.

62. There shall be once in every year an examination of the scholars in each School of the Foundation by an Examiner or Examiners appointed for that purpose by the Governors, and paid by them, but otherwise unconnected with such School. The Examiners shall make a report in writing to the Governors on the proficiency of the scholars and on the position of the several Schools as regards instruction and discipline, as shown by the results of the examination. The Governors shall communicate to the Head Master or Head Mistress of each School the report relating to such School.

63. The Head Master or Head Mistress of each School shall make an annual report in writing to the Governors on the general condition of such School, and on any special occurrences during the year. He or she may also mention the names of any scholars who in his or her judgment are worthy of praise or substantial reward, having regard both to proficiency and to conduct.

CLASSICAL SCHOOL, OTHERWISE CALLED ST. PAUL'S SCHOOL FOR BOYS.

64. The Head Master of the Classical School for Boys shall be called the High Master, and shall be a graduate of some University within the British Empire. The circumstances that he has or has not taken or made any oath or declaration on obtaining a degree shall not affect his qualification.

65. The examination for admission to the Classical School shall be graduated according to the age of the candidates, but it shall never fall below the following standard; that is to say,—

- Reading ;
- Writing from dictation ;
- The first four rules of Arithmetic ;
- The Geography of England ;

The outlines of English History ; and
The elements of Latin Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

Subjects of
instruction.

66. The subjects of secular instruction in the Classical School shall be as follows :—

English, Latin, and Greek languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
French and German ;
Drawing ;
Class Singing.

10

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the Head Master shall settle the arrangements and classification of instruction in the prescribed subjects.

ST. PAUL'S MODERN SCHOOL FOR BOYS.

Qualification of
Head Master.

67. The Head Master of the Modern School for Boys shall be a graduate of some University within the British Empire. The circumstance that he has or has not taken or made any oath or declaration on obtaining a degree shall not affect his qualification. 20

Entrance
Examination.

68. The examination for admission to the Modern School shall be graduated according to the age of the candidates, but it shall never fall below the following standard ; that is to say,—

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ;
The outlines of English History ; and
The elements of French Grammar.

30

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

Subjects of
instruction.

69. The subjects of secular instruction in the Modern School shall be as follows :—

English, French, and German languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science, and, in particular, Experimental Physics and Chemistry ;
Latin ;
Drawing ;
Class Singing.

40

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more

of the subjects ; but subject to such power the Head Master shall settle the arrangements and classification of instruction in the prescribed subjects.

DEAN COLET'S HIGH SCHOOL OR SCHOOLS FOR GIRLS.

70. The examination for admission to any High School for Girls shall be graduated according to the age of the candidate, but it shall never fall below the following standard ; that is to say :— Entrance Examination.

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ; and
Plain Needlework.

10

The Governors may raise the minimum standard from time to time if they deem it advantageous for the Schools.

71. The subjects of secular instruction in the High School or Schools shall be such as to give a liberal education, and shall be settled from time to time by the Governors. They shall include :— Subjects of instruction.

The English language and literature ;
The Latin, French, and German languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
Domestic Economy ;
Callisthenics ;
Laws of Health ;
Drawing ;
Class Singing.

20

The Governors shall have power to direct that arrangements be made for giving special importance to any one or more of the prescribed subjects ; but, subject to such power the Head Mistress shall settle the arrangements and classification of instruction in the prescribed subjects.

30

PART V.—SCHOLARSHIPS AND EXHIBITIONS.

72. There shall be 153 boys scholars on the Foundation, of whom, subject to the proviso hereinafter expressed, 77 shall be scholars in the Classical School, and 76 scholars in the Modern School, and there shall also be 39 girls scholars on the Foundation in the High School or High Schools for Girls : Provided that during the continuance of the interest of any scholar hereinbefore saved, the Governors shall have liberty to treat as scholars on the Foundation all scholars whose interests are so saved, and to augment or diminish at their discretion the number of scholars on the Foundation in the several Schools. Every Scholar on the Foundation shall be entitled, by virtue of his or her Scholarship, to entire exemption from the payment of tuition fees.

40

73. Of the Scholarships tenable in each School (the High Schools for Girls, if more than one, being considered for the purpose of this clause as one School), one third shall be open only to candidates between the ages of 12 and 14 years, whether attending the Schools or not, and shall be awarded, in the case of boys, according to the results of the competitive examination ; and, in the case of girls, either according to the results of the competitive examination or according to some like test of merit to be from time to time prescribed by the Governors. The remaining two thirds of the Scholarships tenable in each School shall be awarded according to the results of competitive examination under such regulations as the Governors may make from time to time. Reasonable notice by advertisement in 10 the public newspapers shall be given of all Scholarships open to candidates not attending the Schools.

74. The Governors shall make regulations from time to time for determining the period of tenure of all Scholarships tenable at the Schools, provided that no such period shall exceed four years. Every Scholarship tenable at the Schools shall be liable to forfeiture on the order of the Governors in case the Head Master or Head Mistress of the School at which it is held reports that the holder is guilty of misconduct, is irregular in attendance, or fails to maintain a reasonable standard of proficiency ; and no such Scholarship shall be granted to any scholar already attending any School, if the Head Master or Head Mistress reports that such 20 scholar is rendered undeserving of it by misconduct.

Campden Exhibi-
tions from Classical
School.

75. The Governors shall in each year employ the net income payable to them under the provisions of a Scheme framed by the Endowed Schools Commissioners, for the management of Lord Campden's Exhibitions, or such portion thereof, being as near as may be the sum of £1,000 as they deem expedient, in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated at the Classical School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal education to be approved in each case by the Governors.

Leaving Exhibitions
from Modern School.

76. The Governors shall in each year employ the sum of £1,000 in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among boys who have been educated at the Modern School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal education, or for the purpose of fitting the holder for some profession.

Leaving Exhibitions
from High School
or Schools for Girls.

77. The Governors shall in each year employ the sum of £700 in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among girls who have been educated at the High School or Schools for such time previous to the award thereof as the Governors may from time to 40 time determine, and to be tenable at any College or place for the higher education of women, or at any training institution for School Misses or governesses, or applicable for the professional training of the holder in any other way which the Governors may expressly sanction in each individual case.

Exhibitions when
voidable.

78. All exhibitions tenable by scholars after leaving the Schools shall be tenable only for the purposes of education, general or professional. They shall be payable by instalments at such intervals as the Governors shall direct. If the

holder of an Exhibition dies, his or her representatives shall be entitled only to the next ensuing payment of an instalment whenever payable. If the holder becomes a bankrupt, or is guilty of gross misconduct or idleness, or wilfully ceases to pursue his or her education, it shall be competent to the Governors to determine the Exhibition as from the last preceding payment of an instalment.

79. Subject to the provisions of this Scheme, the Governors shall from time to time make regulations for determining the number, value, period, and conditions of award and tenure of all Exhibitions tenable by scholars after leaving the Schools, and all other matters relating to such Exhibitions.

Particulars of Exhibitions to be settled by Governors.

PART VI.—APPLICATION OF INCOME.

80. The Governors may from time to time, with the sanction of the Charity Commissioners, grant a pension or retiring allowance to any teacher or officer of any School of the Foundation ; and every accruing instalment of any such pension or allowance shall be, until paid, a charge upon the income of the endowment of the Trust.

Pensions.

81. The Governors shall charge the income of the endowment of the Trust with the payment of a sum of £300 per annum to be placed to a separate account, entitled the Repairs and Improvements Fund Account, and applied to ordinary repairs or improvements of the property used for the purposes of the Schools of the Foundation, and if not wanted for that purpose to be accumulated and paid to the credit of such separate account for repairs and improvements. The Governors at their discretion may draw upon the accumulations, if any, for the purposes of repairs or improvements, ordinary or extraordinary.

Repairs and improvements.

82. After defraying the expenses of any legal claims which may be chargeable on the Trust and the cost of any ordinary repairs or improvements which the money standing to the credit of the Repairs and Improvements Fund Account may be insufficient to answer, the Governors shall employ the net income of the Trust for the general purposes of the Schools in accordance with the provisions of this Scheme : Provided that the amount assigned out of the net income of the endowment of the Trust for the purposes of the High School or High Schools for Girls shall not in any year be less than one fourth part of the said net income for that year, and that the residue of the said net income shall be assigned to the Classical School and Modern School in such shares that the amount assigned out of the net income of the endowment of the Trust for the purposes of the Modern School shall in each year bear, as nearly as may be, the same proportion to the aggregate of the amounts assigned in such year out of the said net income and out of the income of Lord Campden's Exhibitions Trust for the purposes of the Classical School, as the number of scholars attending the Modern School bears to the number of scholars attending the Classical Schools.

Other expenses.

83. If in any year there is any residue of the income assigned to any School, the Governors may employ it in increasing the stipend of the Head Master or Head Mistress or the amount applicable to the maintenance of

Residue.

Assistant Teachers and of School plant or apparatus, in improving the accommodation of the School buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of such School. Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as Unapplied Surplus, applicable exclusively to such School, and deposit in a bank; and whenever the sums so deposited rise to £500 over and above a reasonable current balance, they shall invest the same in the name of the Official Trustees of Charitable Funds to the credit of the Trust, for the benefit of the School or Schools in respect of which such unapplied surplus shall have been stated.

Unapplied surplus.

10

PART VII.—GENERAL.

84. Notwithstanding anything contained in this Scheme the Governors shall have the option of establishing instead of the Classical School for Boys and the Modern School for Boys hereinbefore mentioned, a single School to be called St. Paul's School, for about 1,000 boys, under a High Master; the said School to consist of two departments, a classical department and a modern department. In the event of such single School being so established the Head Master of the classical department shall be the High Master, and the regulations hereinbefore severally made with respect to the Classical or St. Paul's School for Boys, and the St. Paul's Modern School for Boys, shall, as far as is practicable, be applied respectively to the said several departments: Provided that the Governors shall from time to time, at their discretion, determine the extent of the power and jurisdiction to be exercised by the High Master over the Masters in the Modern Department, and the boys attending the same.

Further endowments.

85. The Company or the Governors may receive any additional donations or endowments for the general purposes of the Foundation or the Schools thereof. They may also receive donations or endowments for any special objects directed by the donors, provided that such objects are certified by the Charity Commissioners to be for the general benefit of the Foundation or of any School thereof, and not calculated to give privileges to any scholar without regard to merit, and not otherwise inconsistent with or calculated to impede the due working of the provisions of this Scheme.

Charity Commissioners to decide doubtful questions.

86. If at any time any doubt or question arises among the Governors, or between the Company and the Governors, as to the proper construction or application of any of the provisions of this Scheme, the Governors and the Company, if necessary, shall apply to the Charity Commissioners for their opinion and advice thereon, which opinion and advice when given shall be binding on the Governors and on the Company, if concerned.

Charity Commissioners to make new Schemes.

87. The Charity Commissioners may, upon the application of the Company or of the Governors, from time to time, in the exercise of their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869 and 1873.

40

88. The Governors shall cause this Scheme to be printed and a copy to be given to every person who shall become a Governor, and to every Master, Mistress, and Teacher appointed to any School of the Foundation, and copies shall be sold at a reasonable price to all purchasers. Scheme to be printed and sold.

89. The date of this Scheme shall be the day on which Her Majesty by Order in Council declares Her approbation of it. Date of Scheme.

June 21, 1875.

Approved,
RICHMOND.

[Here follow the Abstracts of Accounts referred to in Clause 31 of the Scheme.]

Submitted to the Committee of Council on Education.

Endowed Schools Commission.

CITY OF LONDON.

SCHEME for the Management of LORD CAMPDEN'S Exhibitions for Scholars proceeding from ST. PAUL'S SCHOOL in LONDON to any College in either of the Universities of Oxford or Cambridge.

- Object. 1. The object of the above-named Trust shall be to promote liberal education. 10
- Repeal. 2. From the date of this Scheme all the particulars which by the Endowed Schools Act, 1869, sec. 46, are capable of being hereby repealed and abrogated, shall, so far as relates to the management of the Trust, but not to the vesting of the property thereof in the Mercers' Company, hereinafter called the Company, be repealed and abrogated.
- Governing Body. 3. From and after the date of this Scheme the Governing Body of the Trust shall be a Governing Body, hereinafter called the Governors, established under the provisions of a Scheme framed by the Endowed Schools Commissioners, and entitled a "Scheme for the Management of St. Paul's School in London founded by Dean Colet." 20
- Management of property and application of income. 4. The property of the Trust shall continue to be vested in and managed by the Company, and the accounts thereof shall be subject to the like provisions as the accounts of the estates and property of St. Paul's School are subject to under clauses 9, 10, and 11, of the aforesaid Scheme for the management of St. Paul's School. The Company shall pay the net income of the property of the Trust to the Governors at such times and intervals and in such manner as may be authorised or prescribed from time to time by the Charity Commissioners; and such net income shall be applied by the Governors in accordance with the provisions in that behalf contained in the said Scheme for the management of St. Paul's School. Provided that this Scheme shall not affect the tenure by any 30 person of any Exhibition payable out of the endowments of the Trust, which was held by him, or had been awarded to him on or before the date of this Scheme.
- Charity Commissioners to decide doubtful questions. 5. If at any time any doubt or question arises among the Governors, or between the Company and the Governors, as to the proper construction or application of any of the provisions of this Scheme, the Governors, and the Company, if necessary, shall apply to the Charity Commissioners for their opinion and advice thereon, which opinion and advice when given shall be binding on the Governors, and on the Company if concerned.

6. The Charity Commissioners may, upon the application of the Company or of the Governors, from time to time in the exercise of their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869 and 1873. Charity Commissioners to make new Schemes.

7. The Governors shall cause this Scheme to be printed and a copy to be given to every person who shall become a Governor. Scheme to be printed.

8. The date of this Scheme shall be the day on which Her Majesty by order in Council declares Her approbation of it, or the day immediately after the date of Date of Scheme.
 10 the said Scheme for the management of St. Paul's School, whichever shall last happen.

June 21, 1875.

Approved,
 RICHMOND.

[10th May 1878.]

At a meeting of the Governors of St. Paul's Schools held at Mercers' Hall
on Friday the 10th May 1878

Resolved—

That the Chairman be authorised on behalf of the Governors to make an
application in the proper form for the consent of the Commissioners to such
alterations.

[10th May 1878.]

FORM OF APPLICATION to the Board under the jurisdiction created by "The Charitable Trusts Act 1860."

To the Charity Commissioners for England and Wales.

In the Matter of the Charity called St. Paul's School in London founded by Dean Colet.

The undersigned being the Governors of St. Paul's School submit the following statement :—

1. The Charity was founded by Dean Colet and is now regulated by a
10 Scheme under the Endowed Schools Acts approved by Her Majesty in Council on the 24th March 1876 for the following principal objects viz. to supply a liberal education for Boys and Girls by means of Schools in or near London.

2. The Charity is endowed with the following properties viz.:

Estates in the City of London and the Counties of Middlesex Buckingham and Essex and divers monies in the public funds the particulars whereof are stated in the annual accounts furnished to the Charity Commissioners.

3. The ordinary yearly income of the Charity amounts to £12,482. 13s. 10½d. and consists of the following particulars viz.:

20	Income for 1877 from real Estate £9,585 7 8½ from money in the funds 2,897 6 2
	<hr/> £12,482 13 10½

4. The net income is now applied to the purposes laid down in the said Scheme.

5. A list of the present Governors of the School is appended hereto.

6. The Governors have determined in pursuance of the option given to them
by the 84th Section of the Scheme to establish instead of the Classical School for Boys and the Modern School for Boys mentioned in the Scheme, a single School to be called St. Paul's School, for about 1,000 Boys under a High Master; the said School to consist of two Departments—a Classical department and a Modern
30 department.

The Governors have prepared and beg to submit to the Commissioners alterations in the said Scheme rendered in their opinion necessary in consequence of the above determination.

A copy of the Scheme accompanies this letter and the alterations and new matter are printed in red.

Under the foregoing circumstances the undersigned are desirous of obtaining an Order of the Board for the following objects. That is to say :—

1. For the alteration of and for additions to the said Scheme in the form or substantially in the form of the alterations in and additions to the Scheme accompanying this application.

We declare that the above statements are in all respects true according to our information and belief.

Dated this 10th day of May 1878.

(Signed) G. F. ASTON

Chairman

And by authority and on behalf of the
Governors of St. Paul's School.

Mercers' Hall,

London, E.C.,

17th May 1878.

ST. PAUL'S SCHOOL.

SIR,

I beg to send you with this a copy of a Resolution passed by the Governors at their Meeting on Friday last and also an application for alterations in the Scheme signed by the Chairman on behalf of the Governors.

I shall be happy to send you as many prints of the Scheme with the proposed alterations as you may desire.

And am, Sir,

Your obedient servant,

(Signed) JOHN WATNEY.

H. M. VANE, Esq.,

Secretary,

Charity Commission.

Whitehall, S.W.

[SCHEME OF 1879.]

MERCERS' COMPANY.
Foundation—ST. PAUL'S SCHOOL.

H
 30,010
Scheme.



CHARITY COMMISSION.

IN THE MATTER OF THE FOUNDATION called or known as "ST. PAUL'S SCHOOL," in LONDON, founded by DEAN COLET ; and

IN THE MATTER OF "THE CHARITABLE TRUSTS ACTS," 1853 TO 1869."

WHEREAS an application in writing was made to the Board of CHARITY COMMISSIONERS FOR ENGLAND AND WALES, on the 10th day of May, 1878, in the matter of the above-mentioned Foundation, by GEORGE FENN ASTON, Esquire, being the Chairman of the Governors of the said Foundation, and the person authorised in that behalf by a resolution passed at a duly constituted meeting of the said Governors, held on the said 10th day of May, 1878 :

And whereas it is expedient that the provisions of the Scheme established for the regulation of the said Foundation under the Endowed Schools Acts, on the 24th day of March, 1876, should be partially varied :

And that with that object a new Scheme should be established for the regulation 10 of the said Foundation, in manner hereinafter mentioned :

And whereas notice of the intention of the said Board to make an order for that purpose has been published by the affixing of the same, according to the direction of the said Board, to or near a principal outer door of St. Paul's School aforesaid, on the 25th day of February, 1879, and by advertisement in the "Times" newspaper, on the 26th day of February and the 5th day of March, 1879, being in each case more than one calendar month previously to the date hereof :

Now the said Board do hereby order, that the aforesaid Scheme (a printed copy whereof, identified by the signature of the Secretary of the said Board, is hereunto annexed) shall be varied in the manner and to the extent appearing in 20 the new Scheme set forth in the Schedule hereto, which by this present Order is approved and established as the Scheme for the future regulation of the said Foundation.

SCHEDULE SCHEME.

PART I.—GENERAL.

1. The object of the above-named Foundation shall be to supply liberal education for boys and girls by means of Schools in or near London. Object.

2. From the date of this Scheme all the particulars which by the Endowed Schools Acts, 1869, 1873, and 1874 are capable of being hereby repealed and abrogated shall, so far as relates to the management of the Foundation, but not to the vesting of the property thereof in the Mercers' Company, hereinafter called the Company, be repealed and abrogated. Repeal.

10 3. From the date of this Scheme all rights and powers (if any) reserved or belonging to, or claimed or capable of being exercised by, any body corporate, persons or person, other than Her Majesty, as visitors or visitor of the Foundation, shall be transferred to Her Majesty, and all such rights and powers, and also any like rights and powers vested in Her Majesty on the 2nd day of August, 1869, shall be exercised only through and by the Charity Commissioners for England and Wales. Jurisdiction of visitor.

4. From the date of this Scheme all jurisdiction of the Ordinary relating to or arising from the licensing of any master in any endowed School of the Foundation shall be abolished. Jurisdiction of Ordinary.

20 5. Notwithstanding anything herein contained, this Scheme shall not affect any of the following vested interests, viz. :— Saving of rights and interests.

(1) The interest of any scholar who was a scholar on the Foundation of St. Paul's School at the date of this Scheme.

(2) The tenure by any person of any Exhibition payable out of the endowments of the Foundation, which was held by him, or had been awarded to him, on or before the date of this Scheme :

(3) Such interest as any teacher or officer of the Foundation appointed to his office before the 25th June, 1868, may have :

30 (4) Such interest as Mrs. Mary Ann Roberts may have in any pension or compensation allowance payable out of the endowments of the Foundation to which she was entitled on the 25th June, 1868.

PART II.—MANAGEMENT OF PROPERTY.

6. All the estates and property of the Foundation shall continue to be and shall be vested in the Company, and all such of the said estates and property as shall not for the time being be used or occupied for the purposes of the several Schools of the Foundation, or of their respective playgrounds and appurtenances, shall continue to be managed by the Company, or by their Court of Assistants, or by their officers acting under their orders, according to the general law applicable to the management of property by Trustees of Charitable Foundations. Any money arising from the sale of timber or from any mines or minerals belonging to the Foundation, shall be treated as capital, and invested in any such securities as may from time to time be authorised by any Act of Parliament or by the Court of Chancery for the investment of trust funds, except in any special cases in which the

Company may be authorised by the Charity Commissioners to apply such money or any part thereof as income.

Raising money.

7. All capital sums which, under the provisions of this Scheme, the Company may be required to raise shall be raised by them by sale or mortgage of the real or personal property of the Foundation, or by both those means, or otherwise, on such terms and subject to such conditions as may be sanctioned or prescribed by the Charity Commissioners in each case.

The provisions of the Charitable Trusts Acts, 1853, and the Charitable Trusts Amendment Act, 1855, as to discharge of debts by means of instalments, a sinking fund, or otherwise, shall not apply to any money charged or to be raised under this clause, but the Charity Commissioners may at their discretion require that any debt created under this clause shall be discharged in such manner and within such time as they may think fit to prescribe.

Conduct of business.

8. The Company shall make such arrangements as they think fit for the custody of all muniments, title deeds, and other documents belonging to the estates and property of the Foundation, for deposit of money, for drawing cheques, and for the appointment and payment of a Clerk and of officers for the conduct of the business relating to the estates and property of the Foundation.

Accounts.

9. The accounts of the estates and property of the Foundation shall be made up and balanced to the 31st day of December in every year. The accounts shall be signed by the Master or one of the Wardens of the Company within two calendar months after the day to which they are made up. As soon as practicable after the accounts are so signed they shall be audited.

Audit.

10. With respect to the audit of the said accounts, the following provisions shall have effect :—

- (1) The auditor in each year shall be appointed by the Lord Mayor, and shall receive such remuneration as the Company, subject to the approval of the Charity Commissioners, may direct; and such remuneration, together with the expenses of or incident to the audit, shall be paid by the Company out of the income of the Foundation.
- (2) The audit shall be held at the office of the Company, or at some other convenient place to be named by them, and at a time to be fixed by the Auditor, but to be as soon as possible after the accounts are signed.
- (3) The Auditor, at least 14 days before holding the audit, shall serve on the Company, and on the Governing Body hereinafter constituted under this Scheme, notice of the time and place of holding the audit.
- (4) The Clerk of the Company, or some person authorised by them, shall attend the audit, and produce to the Auditor all books, bills, vouchers, and documents relating to the accounts.
- (5) Any member of the Company, or of the said Governing Body, may be present at the audit, and object to the accounts.
- (6) The Auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the accounts, as in the case of an audit of the accounts of the School Board for London, and the Governors or any persons aggrieved by the decision of the Auditor shall have a right of appeal to the Charity Commissioners, whose decision shall be final.

(7) Subject to the provisions of this clause the Charity Commissioners may from time to time make such regulations as may in their opinion be necessary respecting the form of keeping the accounts and the audit thereof. When the Auditor has completed the audit, he shall sign the balance-sheet.

10 11. The Company shall in each year cause a statement of accounts, showing their receipts and expenditure in respect of the Foundation for the preceding year, to be printed in such form, and with such particulars, as may be from time to time prescribed by the Charity Commissioners, and shall send the same within 30 days after the balance-sheet is signed by the Auditor to the Governing Body hereinafter constituted under this Scheme, and to the Charity Commissioners, and publish an advertisement thereof in two London daily newspapers, and cause copies to be sold to all applicants at a price not exceeding 3*d.* for each copy. Statement of accounts.

12. The present and any future buildings and playgrounds used for the purposes of the School or Schools of the Foundation, with their respective appurtenances, shall, so long as they respectively continue to be so used, be respectively managed by the Governing Bodies hereinafter constituted under this Scheme without interruption by the Company. School buildings.

20 13. The Company may, with the sanction of the Charity Commissioners, from time to time make such donations and annual allowances or subscriptions out of the income of the estates and property of the Foundation as they may think fit, having regard to the income derived from the estates in respect of which donations or subscriptions are proposed to be made. After paying such donations or subscriptions, and after defraying the expenses of management incurred under the provisions of Parts I., II., and VII. of this Scheme, including a reasonable sum for providing the yearly Apposition dinner, the Company shall pay the net income of the Foundation to the Governing Body of the Boys' Schools hereinafter constituted under this Scheme, at such times and intervals and in such manner as may be authorised or prescribed from time to 30 time by the Charity Commissioners. Application of income.

PART III.—CONSTITUTION OF GOVERNING BODY OF SCHOOL.

14. The Governing Body of the Boys' School of this Foundation shall consist, when complete, of 22 Governors, of whom one shall be the Master and three the Wardens of the Company for the time being, nine shall be appointed by the Court of Assistants of the Company, and the remaining nine shall be appointed as follows :— Governing Body of Boys' Schools.

Three by the Hebdomadal Council of the University of Oxford ;
Three by the Council of the Senate of the University of Cambridge ; and
Three by the Senate of the University of London.

40 Every Governor other than the Master and Wardens of the Company shall be appointed to hold office for five years and then retire.

15. For the management of the Girls' School or Schools to be established under the provisions of this Scheme, the Governing Body of the Boys' Schools shall, Management of Girls' School.

as soon as conveniently may be after the completion of the buildings for any such Girls' School in pursuance of the provisions of this Scheme, and at their first meeting in every fifth year afterwards, appoint four women to act jointly with them as Governors of the Girls' School or Schools of the Foundation. The whole body of 26 Governors so constituted shall have the management of such Girls' School or Schools, and of the buildings thereof, and of the income to be appropriated under this Scheme for the education of girls.

Interpretation of
"Governors."

16. The word "Governors" in this Scheme shall mean the Governing Body of 22 members for the Boys' Schools, or the Governing Body of 26 members for the Girls' School or Schools, as the circumstances and context require. If any 10 doubt arises as to the meaning of the word "Governors" in any instance, the matter shall be referred to the Charity Commissioners, whose decision shall be final.

Vacation of office.

17. If, during his term of office, any Governor, other than the Master and Wardens of the Company, become bankrupt or incapacitated to act, or expresses to the Governors in writing his wish to retire, or fails for the space of one year to attend any meeting, the Governors shall, after notice to such Governor at his last known place of residence in England, cause a record of the fact to be entered in their books, and notify the same to the body by whom he was appointed; and upon such record being entered the Governor to whom it applies shall cease to be 20 a Governor, and thereupon or upon the death of any Governor other than the Master and Wardens of the Company, the proper body shall proceed to appoint a successor to the vacant place. A Governor vacating office by retirement or non-attendance only shall not be thereby disqualified for re-appointment.

Masters.

18. No Master or Mistress of any School of the Foundation may be a Governor.

Religious
opinions.

19. Religious opinions or attendance or non-attendance at any particular form of religious worship shall not in any way affect the qualification of any person for being a Governor under this Scheme.

Acceptance of
office.

20. Every Governor shall, at or before the first meeting he attends in that 30 character, sign a memorandum declaring his acceptance of the office of Governor and his willingness to do his duty as such, and to act in the trusts of this Scheme; and until he has signed such a declaration he shall not be entitled to act.

Meetings of
Governors.

21. The Governors shall from time to time summon and hold meetings in some convenient place to be fixed by themselves as often as may be found necessary for the management of the several Schools, with their respective sites, playgrounds, and appurtenances (hereinafter referred to as the Trust), and at least twice in each year, on some convenient days to be appointed by themselves.

Chairman.

22. The Master of the Company shall be *Ex-officio* Chairman of the 40 meetings, and the Governors shall, at their first meeting in each year, make regulations for supplying his place whenever he is absent.

Quorum.

23. A quorum shall be constituted whenever seven Governors are present; and any such quorum may act notwithstanding a vacancy or vacancies in the whole number of Governors. Whenever any decision is made in favour of which less than a majority of the Governors for the time being entitled to act have voted, it shall be competent to any two Governors, within seven days from the day of

the decision, to demand that the decision shall be once reconsidered at a special meeting to be held at an interval of not less than fourteen and not more than twenty-one days after the meeting at which such decision was made.

24. The Chairman or any two Governors may at any time summon a special meeting for any cause that seems to him or them sufficient. Special meetings.

25. All special meetings shall be convened by notice in writing to the Governors, specifying the object of the meeting. And it shall be the duty of the Clerk to the Governors to give such notice when required by the Chairman or any Governors having a right to summon such a meeting. Notice.

10 26. Save as herein otherwise provided, all matters and questions shall be determined by the votes of the majority of the Governors present at any meeting; and in case of equality of votes, the Chairman of the meeting shall have a second or casting vote. Voting.

27. If at any meeting there is not a sufficient number of Governors present to constitute a quorum, or if the business at any meeting is not fully completed, the Governors present may adjourn the meeting to a subsequent day, of which notice shall be given to all the Governors. Adjournment of meetings.

28. A minute-book and proper books of account shall be provided by the Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for the purpose. Books.

29. Minutes of all proceedings of the Governors shall be entered in the minute-book and duly signed. In the same book shall be recorded the entry into office of every new Governor, and the names of all the Governors present at each meeting, whether a quorum is constituted or not. Minutes.

30. Full accounts shall be kept of the receipts and expenditure of the Governors, and such accounts shall be stated for each year, and examined and passed annually at some meeting within the first two months of the ensuing year, and signed by the Governors then present. Accounts.

30 31. The Governors shall in the first quarter of each year cause abstracts of the accounts for the preceding year to be prepared in accordance with the forms appended to this Scheme, unless some form is prescribed by the Charity Commissioners, in which case the form so prescribed shall be followed. The Governors shall at the same time and in the same manner cause annual statements of the progress of the Schools to be prepared. Such abstracts of accounts and such statements for the past year they shall cause to be printed together and published forthwith, and shall advertise such publication in at least two London daily newspapers, and sell copies of the whole set of abstracts and statements so published at such price as they shall think fit, not exceeding sixpence for each copy, to all applicants. Publication of abstracts and reports.

40 32. The Governors shall make arrangements for the custody of all documents belonging to the Trust, for deposit of money, for drawing cheques, and for the appointment of a Clerk for the conduct of their business. If any such Clerk is himself a Governor he shall not receive a salary. Custody of documents and appointment of Clerk.

33. The property of the Trust, so far as the management thereof is under the provisions of this Scheme vested in the Governing Bodies of the Schools, shall be managed by the Governors or by their officers acting under their orders, according to the general law applicable to the management of property by Trustees of Charitable Foundations. Management.

Precept for
raising money.

34. In order to raise any capital sum which the Governors may from time to time be authorised to expend under the provisions of this Scheme, the Governors may serve their precept on the Company requiring them to raise the same in manner hereinbefore provided, and the Company shall forthwith proceed to raise and pay the same to the Governors accordingly. If any doubt arises as to the validity of any precept, the Company or the Governors may refer the question to the Charity Commissioners, whose decision shall be final.

PART IV.—THE SCHOOLS.

Schools, sites,
buildings.

35. So soon as conveniently may be after the date of this Scheme the Governors shall proceed to acquire such sites, including adequate playgrounds, in some place or places situated within the jurisdiction of the Metropolitan Board of Works as shall be necessary for carrying out the provisions of this Scheme, it being intended that the Foundation shall ultimately comprise :— 10

- (1) A School, to be called St. Paul's School, divided into two Departments, one of which shall be a classical Department for about 500 boys, and the other a modern Department for about 500 boys :
- (2) A School or Schools, to be called Dean Colet's School or Schools, for not less than 400 girls in all :

such Schools and Departments, respectively, to be established in such order of priority as the Governors may deem to be most expedient : 20

The acquisition of each site shall, so far as regards the size and each situation of the same, be subject to the approval of the Charity Commissioners. So soon as any such approval has been obtained the Governors shall proceed to erect on the approved site buildings, according to plans to be subject to such approval as aforesaid, suitable for the School intended. For all or any of the above purposes they may from time to time expend such capital sums as may be sanctioned by the Charity Commissioners.

Removal of
School.

36. The Governors shall, whenever a convenient opportunity offers, and with the sanction of the Charity Commissioners, entirely remove St. Paul's School from the existing buildings in St. Paul's Churchyard. From and after such removal the said buildings and their appurtenances and the site thereof shall be managed by the Company as part of the general property of the Foundation. 30

Day Schools.

37. All the Schools of the Foundation shall be Day Schools, but the Governors shall have power to admit to all or any of the Schools boys and girls boarding in the houses of Masters or Mistresses, or in such other houses as may from time to time be approved by the Governors.

Masters and
Mistresses.

38. There shall be a Head Master of each Department of St. Paul's School. The Head Master of the Classical Department shall be called the High Master of St. Paul's School ; he shall be a graduate of some University in the United Kingdom, and subject as hereinafter provided shall have the superintendence and control of the whole School. 40

The Head Master of the Modern Department of St. Paul's School shall also be a graduate of some University of the United Kingdom, and subject as hereinafter provided shall have the superintendence and control of the Modern Department.

There shall be a Head Mistress of Dean Colet's School, or of each such School if more than one is established, who shall have such qualifications for office as the Governors may think fit to prescribe.

39. No person shall be disqualified from being a Master in any of the Holy Orders. Schools by reason only of his not being, or not intending to be, in Holy Orders.

40. Subject to the provisions hereinafter contained, the Governors and the High Master shall make proper provisions for religious instruction in the several Schools ; and such religious instruction shall be in accordance with the principles of the Church of England. Religious Instruction.

41. No alteration in any regulations made by the Governors respecting the religious instruction given in any School or Department shall take effect until the expiration of not less than one year after notice of the making of the alteration is given. Endowed Schools Act, 1873, s. 11.

42. The parent or guardian of, or person liable to maintain, or having the actual custody of any day scholar in any School or Department of the Foundation, may claim by notice in writing addressed to the Head Master or Head Mistress of such School or Department the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly ; and a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantages or emoluments in any School of the Foundation or out of any endowments affected by this Scheme to which he or she would otherwise have been entitled. If any teacher in the course of other lessons at which any such scholar is in accordance with the ordinary rules of the School, present, teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as provided by this clause, the Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and, if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of. Endowed Schools Act, 1869, s. 15.

43. Every Head Master and every Head Mistress shall be appointed by the Governors. Every such appointment shall be made at a meeting to be called for the purpose, as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers and by such other methods as they may think fit. Appointment of Head Master and Head Mistress.

44. The Governors may dismiss any Head Master or Head Mistress without assigning cause after six calendar months' written notice, given in pursuance of a resolution, passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter. Dismissal without assigning cause.

45. For urgent cause the Governors may by a resolution passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a Dismissal for urgent cause.

meeting duly convened for the special purpose of considering the matter, suspend any Head Master or Head Mistress from office, and in that case they shall appoint another special meeting to be held at an interval of not less than a fortnight after the former one, and may then, by a resolution, likewise passed by a majority of votes of the whole number of Governors for the time being entitled to act, wholly and finally dismiss him or her. Full notice and opportunity of defence at both meetings shall be given to such Head Master or Head Mistress, as the case may be.

Declaration by
Head Masters or
Head Mistresses.

46. Every Head Master or Head Mistress, previously to entering into office, shall be required to sign a declaration to be entered in the minute book of the 10
Governors, in the following form :—

“ I, _____ declare that I will always, to the best of my ability, “ discharge the duties of High Master (or Head Master of the Modern Department) “ of St. Paul’s School (or Head Mistress of Dean Colet’s School, as the case may “ be). during my tenure of office, and that if I am removed by the Governors, “ according to the constitution of the said School, I will acquiesce in such removal, “ and will thereupon relinquish all claim to the office and its future emoluments “ and deliver up to the Governors, or as they direct, possession of all their “ property then in my possession or occupation.”

Occupation of
Trust property by
Head Masters and
Head Mistresses.

47. Every Head Master and Head Mistress to whom a residence shall be 20
assigned by the Governors shall dwell in such residence. Every Head Master and Head Mistress shall have the occupation and use of his or her residence (if any). and of any other property of the Foundation of which he or she may become occupant, in respect of his or her official character and duties, and not as tenant ; and shall, if removed from office, thereupon deliver up possession of such residence and other property to the Governors or as they may direct. No Head Master or Head Mistress shall, except with permission of the Governors, allow any person to occupy his or her official residence or any part thereof.

Personal
attention of Head
Masters and Head
Mistresses.

48. Every Head Master and Head Mistress shall give personal attention to 30
the duties of the School in his or her charge. No Head Master or Head Mistress shall hold any office or appointment which, in the opinion of the Governors, may interfere with the proper performance of his or her duties under the trusts of this Scheme, and no Head Master shall hold any benefice having the cure of souls.

No gratuities to
Masters or
Mistresses.

49. No Master or Mistress of any rank in the Schools shall receive or demand from any scholar or from any person whomsoever on behalf of any scholar any gratuity, or payment, other than such payments as are prescribed or authorised by this Scheme.

Jurisdiction of
Governors over
scholastic
arrangements.

50. Within the limits fixed by this Scheme the Governors shall in each 40
School and Department prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the scholars, and the number of school hours in each week, and of holidays to be given in each term. They shall take general supervision of the sanitary condition of all the School buildings and arrangements. They shall from time to time determine what number of Assistant Masters, Mistresses, or Teachers shall be employed in each School or Department. They shall every year assign to each School and Department the amount to be paid out of the income of the Trust for the salaries of Assistant Teachers, and for

the provision of a proper plant or apparatus for carrying on the instruction given in such School or Department.

51. Before acting under the last preceding clause the Governors shall in all cases consult the Head Master or Mistress of any School or Department concerned, in such a manner as to give him or her full opportunity for the expression of his or her views. Governors to consult Head Master.

52. Subject to the rules prescribed by or under the authority of this Scheme, the High Master as to the Classical Department of St. Paul's School, and the Head Mistress as to the School or Schools for Girls, shall have under his or her control the method of teaching, the arrangements of classes and School hours, and generally the whole internal organisation, management, and discipline of his or her School or Department, and shall have authority over all scholars attending the same in all places and at all times during the School terms: Provided that if the High Master or Head Mistress expels a scholar from School, he or she shall forthwith make a full report of the case in writing to the Governors. Jurisdiction of Head Masters and Head Mistresses.

53. As to the Modern Department of St. Paul's School, subject to the rules prescribed by or under the authority of this Scheme, and subject also to the general superintendence and control of the High Master, the Head Master thereof (who shall be called the "Master of the Modern School") shall exercise the like power and authority as to the method of teaching, the arrangements of classes and School hours, and generally the whole internal organisation, management, and discipline of the Modern Department, and over all Scholars in that Department, as is by the preceding clause given to the High Master with respect to the Classical Department: Provided that it shall not be in the power of the Master of the Modern School to make or alter any regulation as to any of the matters aforesaid, or to expel any Scholar, without the concurrence of the High Master, or (in case of difference between them) of the Governors; and if the High Master should, as to any of the matters aforesaid, think any direction or regulation necessary or expedient to which the Master of the Modern School shall object, or shall think the expulsion of any Scholar necessary to which the Master of the Modern School may not be willing to consent, the matter so in difference shall, as soon as conveniently may be, be reported to the Governors, who shall decide thereon; and in the meantime it shall be the duty of the Master of the Modern School to conform himself to such directions (not being inconsistent with this Scheme or with any regulation made by the Governors), as pending the decision of the Governors, the High Master shall think fit to give. Jurisdiction of Head Master of Modern Department.

54. The High Master as to the Classical Department of St. Paul's School, and the Head Mistress as to the School or Schools for Girls shall have the sole power of appointing, and, subject to an appeal to the Governors, of dismissing all Assistant Teachers in such School or Department; but shall forthwith notify every appointment in writing to the Governors. The High Master or Head Mistress shall also determine, subject to the approval of the Governors, in what manner the sum assigned by the Governors to his or her School or Department for Assistant Teachers and plant or apparatus shall be distributed. The Governors shall pay the sum assigned either through the hands of the High Master or the Head Mistress of such School or Department, or directly as they think best. Appointment and removal of Assistant Teachers in Classical Department and Girls' Schools.

Appointment and removal of Assistant Teachers in Modern Department.

55. The Master of the Modern School shall have power, with the concurrence of the High Master, to appoint, and (subject to an appeal to the Governors) to dismiss all Assistant Teachers in the Modern Department of St. Paul's School, who shall not be Assistant Teachers in the Classical Department also. He shall also, with the concurrence of the High Master, subject to the approval of the Governors, determine in what manner the sum assigned by the Governors to the Modern Department for Assistant Teachers and plant shall be distributed. If there should be any difference on that subject between the High Master and the Master of the Modern School, the matter so in difference shall be determined by the Governors. The Governors shall pay the sum assigned either through the hands of the Master of the Modern School, or directly as they think best. 10

Appointment and removal of Assistant Masters in both Departments of St. Paul's Schools.

56. The Governors shall have power, if and so far as it may seem to them expedient, to authorize the instruction of combined classes in both departments, and also to authorize the employment of the same persons as Assistant Masters in both Departments of St. Paul's School for subjects of instruction common to both; and to determine how such last-mentioned Assistant Masters shall be appointed and dismissed; and also to authorize, so far as may be thought expedient, the instruction of combined classes in both Departments; and the mode of distributing and making payment of the sum or sums which may be assigned for such last-mentioned Assistant Masters shall be in the discretion of the Governors. 20

Head Masters or Head Mistress may submit proposals.

57. The Head Master or Head Mistress of any School or Department may from time to time submit proposals to the Governors for making or altering regulations as to any matters within his or her province, and the Governors shall consider such proposals and decide upon them.

Income of Masters and Head Mistress.

58. The High Master shall receive a fixed stipend of £300 a year. The Master of the Modern School and the Head Mistress of Dean Colet's School shall each receive a fixed stipend of £200 a year.

They shall also be respectively entitled to receive a further or capitation payment calculated on such a scale, uniform or graduated, and at such a rate as may from time to time be fixed by the Governors, being not less than £3 nor more than £6 a year, for each scholar attending the School or Department, provided that when the number of scholars in such School or Department exceeds 300, the minimum payment for each scholar in excess of that number shall be £2 yearly. All payments under this clause shall be made terminally or quarterly, as the Governors shall think fit. 30

Admission of scholars to both Departments of St. Paul's School.

59. It shall be in the power of the Governors at any time when there shall be less than 500 scholars in either the Classical or the Modern Department of St. Paul's School, to authorize the admission of any number of scholars (not exceeding the difference between the total number for the time being in both Departments, and one thousand), for the purpose of receiving instruction in any subjects common to both Departments, for such length of time (to be determined either by the age or the proficiency of such scholars respectively, or otherwise as the Governors shall think expedient), as may in the opinion of the Governors be desirable, before the final distribution of such scholars between the Classical and the Modern Departments; and all such scholars shall, so far as relates to government and discipline, and to the regulation of the instruction given to them, 40

be under the authority of the High Master and the Master of the Modern School respectively, in the same way as if they were scholars in the Modern Department; and for the purposes of the accounts directed by the 31st clause of this Scheme, such scholars shall be deemed to be in the Modern Department, but in every such case, every such scholar shall be entitled to be placed in the Classical or Modern Department as the case may be, whenever his parents or guardians shall so request, if, and so soon as, there may be a vacancy therein, subject to his passing such examination as may be appointed by or with the consent of the Governors for that purpose; priority being given in every such case according to the order

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60. Subject to the regulations made by or under the authority of this Scheme the Boys' and Girls' Schools of the Foundation, and all their advantages, shall be open to all boys and girls respectively who are of good character and of sufficient bodily health, and who are residing with their parents, guardians or next friends, or are boarders under the provisions of this Scheme.

To whom Schools are open.

61. Applications for admission to any School shall be made to some person appointed by the Governors, according to a printed form to be by them approved and delivered to all applicants for admission.

Mode of admission.

62. A register shall be kept of all applications showing the date at which every application is made for the admission of a scholar, the date of admission, withdrawal, or rejection, the cause of rejection, and the age of the candidate at the date of the application: Provided that every person requiring an application to be registered shall pay such fee as the Governors may fix, not exceeding 10s.

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Register of Applications.

63. Every candidate for admission into St. Paul's School, or into the School or Schools for Girls, shall be examined by or under the direction of the High Master or the Head Mistress of the Girls' School, who shall appoint convenient times for that purpose, and give reasonable notice thereof in writing to the parents or guardians of those whose turn is approaching. No scholar shall be admitted to any School except after passing such examination. Those who are

30 found fit shall, if there is room for them, be admitted in order according to the dates of their application: Provided nevertheless, that each Governor shall have the privilege of nominating in every year one candidate for admission into some School of the Foundation, and every candidate so nominated, if found fit and otherwise admissible, shall be entitled to priority of admission over all candidates not so nominated.

Entrance examinations.

64. Except as is herein otherwise expressly provided, each scholar shall pay such entrance and tuition fees as the Governors shall fix from time to time, provided that no such entrance fee shall exceed £5, and that no such tuition fee shall be less than £20, or more than £30 a year. No preference shall be given

3 to any scholar in respect of such fees on account of his or her place of birth or residence. No extras of any kind shall be allowed, without the sanction of the Governors and written consent on behalf of the scholar concerned.

Payments for entrance and tuition.

65. All payments for entrance and tuition shall be made in advance in such manner and to such person as the Governors shall from time to time appoint for the purpose, and shall be accounted for by the person receiving them to the Governors, and treated by them as part of the income of the Trust applicable exclusively to the benefit of the School in respect of which they were made.

Payments to be made in advance.

Ages of scholars.

66. The Governors shall make regulations from time to time for fixing the age of admission to the several Schools. No scholar shall be allowed to remain in any School or Department beyond the end of the School term or half year in which he or she attains the age of 19 years. And the Head Master or Head Mistress of each School or Department shall be at liberty to make regulations for the withdrawal of scholars in cases where from idleness or incapacity to profit by the instruction given they are materially below the standard of position and attainment proper for their age : Provided that so far as relates to the Modern Department, all such regulations shall be made with the concurrence of the High Master. No scholar shall be allowed to remain in any School beyond the end of the term in which he or she attains the age of 13 years, unless he or she has within the previous year passed a satisfactory examination in reading, writing, arithmetic, English grammar, and dictation, and the elements of geography ; and the Governors shall make regulations for testing the attainments of such scholars by some Examiner to be appointed by them. 10

Examinations.

67. There shall be once in every year an examination of the scholars in each School or Department of the Foundation by an Examiner or Examiners appointed for that purpose by the Governors, and paid by them, but otherwise unconnected with such School or Department. The Examiners shall make a report in writing to the Governors on the proficiency of the scholars and on the position of the several School and Departments as regards instruction and discipline, as shown by the results of the examination. The Governors shall communicate to the Head Master or Head Mistress of each School or Department the report relating to such School or Department. 20

Reports of Head Masters and Head Mistresses.

68. The Head Master or Head Mistress of each School or Department, shall make an annual report in writing to the Governors on the general condition of such School or Department and on any special occurrences during the year. He or she may also mention the names of any scholars who in his or her judgment are worthy of praise or substantial reward, having regard both to proficiency and to conduct. 30

CLASSICAL DEPARTMENT OF ST. PAUL'S SCHOOL FOR BOYS.

Entrance examination.

69. The examination for admission to the Classical Department shall be graduated according to the age of the Candidates, but it shall never fall below the following standard ; that is to say,—

- Reading ;
- Writing from dictation ;
- The first four rules of Arithmetic ;
- The Geography of England ;
- The outlines of English History ; and
- The elements of Latin Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School. 40

Subjects of instruction.

70. The subjects of secular instruction in the Classical Department shall be as follows :—

English, Latin, and Greek languages and literatures ;

Arithmetic and Mathematics ;
 History and Geography ;
 Natural Science ;
 French and German ;
 Drawing ;
 Class Singing.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the Head Master shall settle the
 10 arrangements and classification of instruction in the prescribed subjects.

MODERN DEPARTMENT OF ST. PAUL'S SCHOOL FOR BOYS.

71. The examination for admission to the Modern Department, or into St. Paul's School without being immediately placed in either Department, shall be graduated according to the age of the Candidates, but it shall never fall below the following standard ; that is to say,— Entrance ex-
 amination.

Reading ;
 Writing from dictation ;
 The first four rules of Arithmetic ;
 The Geography of England ;
 20 The outlines of English History ; and
 The elements of French Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

72. The subjects of secular instruction in the Modern Department shall be as follows :— Subjects of in-
 struction.

English, French, and German languages and literatures ;
 Arithmetic and Mathematics ;
 History and Geography ;
 Natural Science, and, in particular, Experimental Physics and Chemistry ;
 30 Latin ;
 Drawing ;
 Class Singing.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power and to the general superintendence of the High Master the Head Master of the Modern School shall settle the arrangements and classification of instruction in the prescribed subjects.

DEAN COLET'S SCHOOL OR SCHOOLS FOR GIRLS.

73. The examination for admission to any School for Girls shall be graduated according to the age of the candidate, but it shall never fall below the following standard ; that is to say :— Entrance ex-
 amination.

Reading ;
 Writing from dictation ;
 The first four rules of Arithmetic ;

Subjects of instruction.

The Geography of England ; and Plain Needlework.
The Governors may raise the minimum standard from time to time if they deem it advantageous for the Schools.

74. The subjects of secular instruction in the School or Schools for Girls shall be such as to give a liberal education, and shall be settled from time to time by the Governors. They shall include :—

- The English language and literature ;
- The Latin, French, and German languages and literatures ;
- Arithmetic and Mathematics ;
- History and Geography ;
- Natural Science ;
- Domestic Economy ;
- Calisthenics ;
- Laws of Health ;
- Drawing ;
- Class Singing.

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The Governors shall have power to direct that arrangements be made for giving special importance to any one or more of the prescribed subjects ; but, subject to such power, the Head Mistress shall settle the arrangements and classification of 20 instruction in the prescribed subjects.

PART V.—SCHOLARSHIPS AND EXHIBITIONS.

Scholarships.

75. There shall be 153 boys scholars on the Foundation, of whom, subject to the proviso hereinafter expressed, 77 shall be scholars in the Classical Department, and 76 scholars in the Modern Department of St. Paul's School ; and there shall also be 39 girls scholars on the Foundation in the School or Schools for Girls : Provided that during the continuance of the interest of any scholar hereinbefore saved, the Governors shall have liberty to treat as scholars on the Foundation all scholars whose interests are so saved, and to augment or diminish at their 30 discretion that number of scholars on the Foundation in the several Schools. Every Scholar on the Foundation shall be entitled, by virtue of his or her Scholarship, to entire exemption from the payment of tuition fees.

Award of Scholarships.

76. Of the Scholarships tenable in each School (the Schools for Girls, if more than one, being considered for the purpose of this clause as one School), one third shall be open only to candidates between the ages of 12 and 14 years whether attending the Schools or not and shall be, awarded, in the case of boys, according to the result of competitive examination ; and, in the case of girls, either according to the results of competitive examination or according to some like test of merit to be from time to time prescribed by the Governors. The remaining two thirds 40 of the Scholarships tenable in each School shall be awarded according to the results of competitive examination under such regulations as the Governors may make from time to time. Reasonable notice by advertisement in the public newspapers shall be given of all Scholarships open to candidates not attending the Schools.

Regulations as to Scholarships.

77. The Governors shall make regulations from time to time for determining the period of tenure of all Scholarships tenable at the Schools. Every Scholarship

tenable at the Schools shall be liable to forfeiture on the order of the Governors in case the Head Master or Head Mistress of the School at which it is held reports that the holder is guilty of misconduct, is irregular in attendance, or fails to maintain a reasonable standard of proficiency; and no such Scholarship shall be granted to any scholar already attending any School, if the Head Master or Head Mistress reports that such scholar is rendered undeserving of it by misconduct.

10 78. The Governors shall in each year employ the net income payable to them under the provisions of a Scheme framed by the Endowed Schools Commissioners, for the management of Lord Campden's Exhibitions, or such portion thereof, being as near as may be the sum of £1,000, as they deem expedient, in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated in the Classical Department of St. Paul's School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal education to be approved in each case by the Governors. Campden Exhibitions from Classical School.

20 79. The Governors shall in each year employ the sum of £1,000 in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among boys who have been educated in the Modern Department of St. Paul's School, for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal education, or for the purpose of fitting the holder for some profession. Leaving Exhibitions from Modern School.

30 80. The Governors shall in each year employ the sum of £700 in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among girls who have been educated at the School or Schools for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any College or place for the higher education of women, or at any training institution for School Mistresses or governesses, or applicable for the professional training of the holder in any other way which the Governors may expressly sanction in each individual case. Leaving Exhibitions from High School or Schools for Girls.

81. All Exhibitions tenable by scholars after leaving the Schools, shall be tenable only for the purposes of education, general or professional. They shall be payable by instalments at such intervals as the Governors shall direct. If the holder of an Exhibition dies, his or her representatives shall be entitled only to the next ensuing payment of an instalment whenever payable. If the holder becomes a bankrupt, or is guilty of gross misconduct or idleness, or wilfully ceases to pursue his or her education, it shall be competent to the Governors to determine the Exhibition as from the last preceding payment of an instalment. Exhibitions when voidable.

40 82. Subject to the provisions of this Scheme, the Governors shall from time to time make regulations for determining the number, value, period, and conditions of award and tenure of all exhibitions tenable by scholars after leaving the Schools, and all other matters relating to such Exhibitions. Particulars of Exhibitions to be settled by Governors.

PART VI.—APPLICATION OF INCOME.

83. The Governors may from time to time, with the sanction of the Charity Commissioners, grant a pension or retiring allowance to any teacher or officer of Pensions.

any School of the Foundation ; and every accruing instalment of any such pension or allowance shall be, until paid, a charge upon the income of the endowment of the Trust.

Repairs and im-
provements.

84. The Governors shall charge the income of the endowment of the Trust with the payment of a sum of £300 per annum to be placed to a separate account, entitled the Repairs and Improvements Fund Account, and applied to ordinary repairs or improvements of the property used for the purposes of the Schools of the Foundation, and if not wanted for that purpose to be accumulated and paid to the credit of such separate account for repairs and improvements. The Governors at their discretion may draw upon the accumulations, if any, for the purposes of 10 repairs or improvements, ordinary or extraordinary.

Other expenses.

85. After defraying the expenses of any legal claims which may be chargeable on the Trust and the cost of any ordinary repairs or improvements which the money standing to the credit of the Repairs and Improvements Fund Account may be insufficient to answer, the Governors shall employ the net income of the Trust for the general purposes of the Schools in accordance with the provisions of this Scheme : Provided that the amount assigned out of the net income of the endowment of the Trust for the purposes of the School or Schools for Girls shall not in any year after such School or Schools shall have been established be less than one fourth part of the said net income for that year, and 20 that the residue of the said net income shall be so applied as at all times to maintain the modern department of St. Paul's School in as full and complete a state of efficiency as the Classical Department.

Residue.

86. If in any year there is any residue of the income assigned to any School the Governors may employ it in increasing the stipend of the Head Master or Head Mistress or the amount applicable to the maintenance of Assistant Teachers and of School plant or apparatus, in improving the accommodation of the School buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of such School. Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as Unapplied Surplus, 30 applicable exclusively to such school, and deposit in a bank ; and whenever the sums so deposited rise to £500 over and above a reasonable current balance, they shall invest the same in the name of the Official Trustees of Charitable Funds to the credit of the Trust, for the benefit of the School or Schools in respect of which such unapplied surplus shall have been stated.

Unapplied
surplus.

PART VII.—GENERAL.

Further endow-
ments.

87. The Company or Governors may receive any additional donations or endowments for the general purposes of the Foundation or the Schools thereof. They may also receive donations or endowments for any special objects directed by the donors, provided that such objects are certified by the Charity 40 Commissioners to be for the general benefit of the Foundation or of any School thereof, and not calculated to give privileges to any scholar without regard to merit, and not otherwise inconsistent with or calculated to impede the due working of the provisions of this Scheme.

88. If at any time any doubt or question arises among the Governors, or between the Company and the Governors, as to the proper construction or application of any of the provisions of this scheme, the Governors and the Company, if necessary, shall apply to the Charity Commissioners for their opinion and advice thereon, which opinion and advice when given shall be binding on the Governors and on the Company, if concerned.

Charity Com-
missions to decide
doubtful ques-
tions.

89. The Charity Commissioners may, upon the application of the Company or of the Governors, from time to time, in the exercise of their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, 10 provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869 and 1873.

Charity Com-
missioners to
make new
Schemes.

90. The Governors shall cause this Scheme to be printed and a copy to be given to every person who shall become a Governor, and to every Master, Mistress, and Teacher appointed to any School of the Foundation, and copies shall be sold at a reasonable price to all purchasers.

Scheme to be
printed and sold.

Sealed by Order of the Board this 4th day of July, 1879



HENRY M. VANE,

Secretary.

[Here follow the forms of account referred to in clause 31 of the Scheme.]

[*Enclosure to Letter of 25th November, 1890, printed below, from G. H. GAUNTLETT, Charity Commission, to JOHN WATNEY, Mercers' Hall.*]

November 12th, 1890.

TO THE SECRETARY OF THE CHARITY COMMISSIONERS.

SIR,—I desire to draw the attention of the Charity Commissioners to what I consider a very serious failure on the part of the governing body of St. Paul's School, London, to carry out the Scheme under which the Charity is administered.

SECTION 10.—By this section it is required that the Lord Mayor shall annually appoint an Auditor, and directions are given for an effective audit of 10 the accounts of the Governing Body. From the abstract of the accounts published this year it does not appear that any Auditor had been appointed. The accounts are signed by eight of the Governing Body.

SECTION 38.—This section requires the Governing Body to appoint a Head Master of the Classical Department and a Head Master of the Modern Department. The Governors have failed to appoint a Head Master of the Modern Department.

SECTION 58.—The part of this section referring to the salary of the Head Master of the Modern Department has not been carried out, and the Head Master of the Classical Department has received a capitation fee for the pupils in both departments of the School. By this section he is entitled to a capitation fee 20 for the pupils of the Classical Department only.

Section 75 requires that 76 boys on the Foundation shall be scholars on the Modern Department and 77 in the Classical Department. This requirement of the Scheme has been frustrated by a very small number of the free places on the Foundation being assigned to pupils in the Modern Department of the School. Accurate information on this head should be obtained and published.

There are other sections of the Scheme which have not been carried out, but to these I do not refer, as possibly there may be some satisfactory reason for delay, but I submit that I have shown good grounds for such action on the part of the Charity Commissioners as may be necessary to secure that the Scheme of this 30 School, which forms a contract between the Government on the one hand and the public on the other, shall be faithfully carried out.

Awaiting your reply,
I am, &c.

CHARITY COMMISSION,
25th November, 1890.

LONDON, ST. PAUL'S SCHOOL—QUESTIONS UNDER SCHEME. A
48,392

SIR,—I am to enclose herewith for the information of the Governors a copy of a communication which has been received at this Office from a resident in West Kensington, and have to request that you will acquaint me with the observations 40 which it is desired to offer thereon.

I am, Sir,
Your obedient Servant,
G. H. GAUNTLETT.

JOHN WATNEY, Esq.,
Mercers' Hall, E.C.

[28th November, 1890.]

At a Meeting of the Governors of St. Paul's School, held at Mercers' Hall on Friday, the 28th November, 1890.

IT WAS RESOLVED—

That the Earl of Selborne and Sir James Hannen be requested to examine the existing Statutes of St. Paul's School, in order to advise the Governors with reference—

1. To clause 35, sub-sections 1 and 2, particularly as to the Classical Department for about 500 boys, as to the Modern Department for about 500 boys,
10 and as to a School or Schools for not less than 400 girls in all.

2. To clause 38, as to Head Masters.

3. To clauses 69, 70, 71, 72, 73, and 74, as to the subjects of instruction in the various Schools.

4. To clauses 75, 76, and 77, as to the Scholarships.

5. To our present system of having only one Department of 600 boys with one High Master.

[4th March, 1891.]

[*Report of Lords Selborne and Hannen.*]

TO THE GOVERNORS OF ST. PAUL'S SCHOOL.

GENTLEMEN,

We have carefully considered the questions submitted to us by the resolution of the Governors of St. Paul's School on the 28th of November, 1890, together with the observations addressed to us on the subject of that resolution by Col. Clementi, and we have to report as follows :—

We were asked to advise the Governors with respect—

I. To clause 35, sub-sections 1 and 2, particularly as to the classical department for about 500 boys, as to the modern department for about 500 boys, and as to a school or schools for not less than 400 girls in all.

We are of opinion that it was competent for the Governors to determine, as they have done, that a classical department of St. Paul's School should in the first place be established, and that a school for girls should in the next place be established before constituting a modern department of the school for boys. This appears to result from the provision contained in clause 35, "such schools "and departments respectively to be established in such order of priority as the "Governors may deem to be most expedient." We think, however, that the number of 600 boys at present admitted to the classical department exceeds the number contemplated by clause 35 in the expression "about 500 boys," but as there is room in the school for 600 boys, it does not appear to us desirable that the number should be reduced until a Modern Department shall be established, as by so doing boys approaching 100 in number would be excluded from the great advantages which the school, as now constituted, affords.

II. Secondly, we are asked to advise with reference to clause 38 as to head masters.

We think that no change is called for as to this clause. As it has been determined to establish a girls' school before establishing a modern department of the boys' school, no question arises as to the appointment of a head master of a modern department, and it appears to us expedient that the present constitution of the school under the head mastership of the classical department, which has been so eminently successful, should be continued.

III. Thirdly, with regard to the clauses (69 to 74 inclusive) relating to the subject of instruction in the classical department until a modern department shall be established, we are of opinion that a change in one respect might usefully be made in the subject of instruction.

The subjects which would be taught in the modern department, if it existed, differ from those now taught in the classical department, in one particular only ; namely, in the substitution of German for Greek. If, therefore, provision were made for the teaching of German in the place of Greek, in the case of boys who may not show an aptitude for Greek, or whose parents desire the substitution of the modern for the ancient language, the same instruction would be afforded in the existing classical department as will ultimately be supplied in the modern department, although to a smaller number of boys. Subject to any observations which the High Master may have to make as to the feasibility of adding German

to the list of subjects taught at the school, without injuriously interfering with the teaching of Greek to those boys for whom the ordinary classical education is desired, we recommend this change in the subjects of instruction.

The clauses relating to the subjects of instruction in the modern department and the girls' school, call for no comment.

IV. Fourthly, with regard to the clauses (75, 76, and 77) relating to scholarships, we think that the present arrangement by which 153 scholarships are allotted to the classical department is not justified by the existing scheme, and that application should be made to the Charity Commissioners to frame a scheme
10 for the alteration of the provisions of the 75th section.

The alteration which we would suggest is, that without prejudice to the status of any existing scholar, in all future elections scholarships, equal as nearly as possible to one half the number of vacancies occurring from year to year, should be assigned to boys who may pass what we may for convenience call the "Modern" examination, so that eventually, until the Modern department is established, the total number of scholars in the school, so elected upon passing the "Modern" examination, may be equal to, but shall not exceed 76. In the examination for such scholarships, German should be substituted for Greek.

No Latin verse should be set for the Modern Scholarships, or translation into
20 verse. In addition to English, French, and German, some branch of physical science and drawing should form part of the examination for the Modern Scholarships. In all other respects than those above mentioned, the same conditions as to age and tenure should apply to the Modern as to the Classical Scholarships, and the examinations should be held at the same time for both.

These changes may involve others in the working of the school which we cannot at present foresee, and power should be given to the Governors, after consultation with the High Master, to make such modifications as may seem necessary in consequence of the proposed change.

By the plan we have suggested the spirit of the existing scheme would be
30 conformed to by giving encouragement to boys to seek admission to the school for the purpose of obtaining, and by providing for them, an education which would be equivalent to that which will be hereafter afforded by the Modern Department when established.

V. Lastly, with reference to the present system of having only one department of 600 boys, with one High Master, we think that until a Modern Department shall be established it will be advisable to maintain the existing arrangement, and that application should be made to the Charity Commissioners to frame a scheme for the alteration of the provisions of the 35th clause by sanctioning the admission of 600 boys to the existing Classical Department until a Modern Department shall be
40 created.

We are informed that the present building is not adapted for a larger number of boys than 600; thus when the time arrives for the establishment of a Modern Department, other arrangements will have to be made, which it would not be useful to consider at present. In the meantime one department would continue with one High Master.

SELBORNE.
HANNEN.

4th March, 1891.

K K

[4th June, 1891.]

ST. PAUL'S SCHOOL.

REPORT of the School Committee on Report of the Earl of Selborne and Lord Hannen.

The School Committee have carefully considered the valuable and suggestive Report of the Earl of Selborne and Lord Hannen referred to them by the Governors on April 10th.

They are satisfied by the arguments of the Report (1) that the time has now come for making arrangements to carry out the provisions of the Scheme more completely than in the years of transition and growth since 1884 has been possible or indeed advisable, and (2) that the principle on which the Governors should proceed is to make more conspicuous the fact that unusual opportunities and advantages are afforded at the school for the study of science and modern subjects and to extend yet further the encouragement given to such subjects. 10

In considering how the suggestions of the Earl of Selborne and Lord Hannen may be worked out in some permanent form, the Committee are met at the outset by the information that the school buildings, which were intended to be sufficient for all the purposes of the Scheme, will as at present arranged accommodate not more than about 600 boys, the eventual number mentioned in the Scheme being 1,000. They have paid a visit of inspection to the school and they are of opinion that while the class-rooms are as a rule large enough for classes considerably larger than the average size which the best modern views of education regard as the maximum size for educational efficiency, the class-rooms are with possibly one or two exceptions not capable of division into two, and that very little additional accommodation can in this way be provided. But they find that in the Small Theatre (39 ft. by 32 ft.) and in the Large Theatre (63 ft. by 56 ft.) there is a very great waste of space. They have also considered the arrangements of the Dining Hall ($124\frac{1}{2}$ ft. by $29\frac{1}{2}$ ft.) which is 10 ft. longer than the Hall of Christ Church, Oxford, and 25 ft. longer than the Hall of Trinity College, Cambridge, taking the extreme length of that building inclusive of the space within the screen. Each of these two Halls is 40 ft. wide. The Committee are of opinion that a wooden screen might with good effect be erected across the lower end of the hall, providing within the screen an excellent class-room. They recommend that the Governors should invite some architect who is skilful in the treatment of interiors to examine these rooms with a view to utilising them for the ordinary purposes of the school, and to consider in what other way (if any) the space available for teaching could be re-arranged and economised. 20 30

The Committee think it of importance that at this stage in the development of the school some historical statement of the facts connected with the building should be put on record. 40

On 13th April, 1877, the Governors resolved to establish a single school with two departments, and not to establish two separate schools, the option between these two courses being given in the original Scheme. Alterations were made in the Scheme by the Charity Commissioners in accordance with this resolution.

When the Governors entered upon the consideration of a site for this single school, a Committee of enquiry reported to them that for one school of 500 boys six acres would suffice, and for a school of 1,000 boys ten acres, but advised that if possible a larger site should be secured. Accordingly a site of sixteen acres was secured, with the approval of the Charity Commissioners.

In 1879 the Governors presented to the Charity Commissioners their plans for the erection of a single school in two departments. On 6th August, 1879, the Commissioners informed the Governors that their architect reported that the plans were considerably in excess of the requirements of the Scheme, which
10 contemplated a school of 1,000 boys. On 27th November, 1879, the School Committee had an interview with the Chief Commissioner, who informed them that the architect of the Commissioners had calculated that the buildings as planned would accommodate 1,500 boys.

The plans were accordingly modified to such an extent that the building estimate was reduced from £100,000 to £75,000. The state of the High Master's health unfortunately deprived the Governors of his assistance in considering the new plans. On 30th January, 1880, they were adopted by the Governors, and on 12th May, 1880, were ordered to be sent to the Charity
20 Commissioners. On 14th July, 1880, the Commissioners informed the Governors that they approved the plans on the understanding that the total cost must not exceed £116,000. The buildings have now been in use for some years, and the High Master reports that they do not accommodate more than about 600 boys, in classes of such size as he thinks suitable.

The School Committee are informed by the High Master that no difficulty was found in increasing the number of boys in the school from 180, the number of those who accompanied the school when it was transferred from the City, to 500. The pressure then began to slacken, and now that the number has grown to 600 the High Master believes that the highest point which there is a fair
30 prospect of maintaining has been reached. He thinks it probable, indeed, that the changes consequent upon the re-arrangement of Christ's Hospital may affect St Paul's School prejudicially, so far as numbers are concerned. The School Committee express no opinion of their own on this point; but they are convinced that by a better use of the space in some parts of the present building, a considerably larger number of boys could be accommodated in it, possibly 700 or 800, if so many offered themselves. In case the circumstances of the neighbourhood should change, so that a demand for still further accommodation became pressing, a block of additional class-rooms could be built in the grounds of the school.

Turning now to the educational arrangements of the school, the School Committee find that the series of great successes which have raised St. Paul's
40 School so high among the best schools in the kingdom have been due to the advantages offered in all branches of the work of a school of the highest grade and of the most general character. Classics, Mathematics, Natural Science, and the Modern Subjects generally, all have played their part in making the present reputation of St. Paul's School. Having the name of a Classical School, the school does in fact afford unusually good opportunities for the study of the other branches of education. No one who visits the Physical Laboratory, or the noble Laboratory built for the students of Chemistry, can doubt that Natural Science

receives a very full share of attention, while the honours won by Paulines in Mathematics, and their successes in competition for appointments given for Modern Subjects, and in the Matriculation Examination of the University of London, and in the entrance examinations for the Army, speak with like decisiveness. The School Committee are of opinion that a more public recognition of the fact that besides the admirable classical training given in the school there is this excellent training in Mathematics, Natural Science, and Modern Subjects, might fairly be made. They recommend that this should be done by appointing a Master of the Modern Department, in general subordination to the High Master in accordance with the Scheme.

The School Committee attach great importance to the preservation of the unity of the school. They are convinced that anything like a complete severance into two distinct departments, the one Classical and the other Modern, would result in a serious loss of moral force, and would also be very unwise from the educational point of view, in the more limited sense of the word "educational." Recent and trustworthy educational experience from other quarters is unfavourable to the complete severance of the classical and modern departments in a great school. It is inexpedient in the interest of the boy who is intending to proceed to the University, and to distinguish himself in Classics, that he should pass through his school course in ignorance of Mathematics, Modern Languages, and the Elements of Science. Still less is it desirable that the scholar whose bent is towards science and practical life should be debarred from the culture and mental stimulus afforded by literary studies. Accordingly, in many of the best public schools, much of the instruction, especially in the earlier stages of the school course, is given in common to both classes of pupils, while at a certain point in their career bifurcation takes place: the boys on the one side devoting special though not exclusive attention to Classical studies, and those on the other side being occupied mainly in Mathematics and Science and in learning German instead of Greek. In this way the unity of the whole institution is maintained, teaching power is economised, and the work of the school, instead of being sharply divided into two independent sections, is duly co-ordinated under one responsible head. The Committee recommend that the boys who are sufficiently advanced in age and studies should be treated as belonging to the Classical or Modern Department, according to the direction which their studies take, and that the younger and less advanced boys should not be treated as belonging specially to either Department. For purposes of capitation payments to the High Master and the Master of the Modern Department, these non-differentiated boys might be credited to the Classical and Modern Departments in the same proportion as that which exists between the numbers actually in those Departments. There are now about 300 boys on the Mathematical and Modern side.

There remain for consideration the arrangements for "Leaving Exhibitions" and Foundation Scholarships. The arrangements for Leaving Exhibitions do not appear to the Committee to need revision. On the Classical side three Exhibitions, amounting to £180 a year, tenable for 4 years, are given in each year for Classics, or £720 a year in all. Two Exhibitions, amounting to £120 a year, tenable for 4 years, are given in each year for Mathematics, and two amounting to £90 a year for Science, or £840 a year in all; and one Exhibition of £50 a year, tenable for

2 years, or £100 a year in all, is given for proceeding to Woolwich—making in all £940 a year for these subjects.

Of the Foundation Scholarships several are in each year awarded to boys who show ability in Mathematics and the Modern subjects. The School Committee think that it would be well for the Governors to make some general rule for the apportionment of the 153 Scholarships; and having regard to Section 76 of the Scheme, which requires that one-third of the Scholarships shall be open only to candidates between the ages of 12 and 14 years, they suggest the following apportionment to be brought into operation gradually :—51 Scholarships open to
 10 competition among boys between 12 and 14 years of age, whether attending the school or not, the examination being so conducted as to afford opportunities for boys to show a certain measure of proficiency in modern subjects, as for instance French or German in the case of those to whom the language is not vernacular, and care being taken that so far as may be there are 26 of these Junior Scholarships held by boys whose tendency is towards the Classical Department, and 25 by those whose tendency is towards the Modern Department; 51 Scholarships open to competition among boys under 16 years of age, whether attending the school or not, who are sufficiently advanced in Classical subjects to be in the Classical Department; and 51 Scholarships open to competition among
 20 boys under 16 years of age, whether attending the school or not, who are sufficiently advanced in modern subjects to be in the Modern Department.

Your Committee deem it important that, whether for entrance only or for foundation scholarships, the examination of candidates who do not take Latin verse or Greek should not represent any lower standard of proficiency and intelligence than the examination for other scholars. They regard it as essential that scholars of high ability and character whose parents desire them to give special attention to science and modern languages shall not on that account find any difficulty in inheriting the traditions and sharing to the full extent in the corporate life and privileges of this ancient and famous school.

30 Having regard to the delay and possible difficulty of any important changes in the existing Scheme, the School Committee have made their suggestions entirely in the spirit of the Scheme and with the view of carrying out the provisions of the Scheme. But they are not prepared to report that in their opinion the course proposed is without doubt in accordance with the letter of the Scheme in some minor points. They accordingly recommend that the Governors should pass a resolution to the effect that a question has arisen among them as to the bearing of these suggestions on the proper construction or application of the provisions contained in sections 35 and 75 of the Scheme, and should thereupon apply to the Charity Commissioners under section 88 of the Scheme for their opinion and advice
 40 in this respect.

(Signed) EDWD. HOWLEY PALMER,
 Chairman on behalf of the Committee.

June 4th, 1891.

17th June, 1891.

At a meeting of the Governors of St. Paul's School, held at Mercers' Hall, on Wednesday June 17th 1891.

RESOLVED—

That a question having arisen from the Governors as to the bearing of the suggestions contained in the above report of the School Committee on the proper construction or application of the provisions contained in sections 35 and 75 of the Scheme they do apply to the Charity Commissioners under section 88 of the Scheme for their opinion and advice in this respect.

Mercers' Hall,
London:
June 25th, 1891.

SIR,

a
48392 { St. Paul's School
London
Questions under Scheme.

I am desired by the Governors of St. Paul's School in further reply to your letter of the 12th November last to part of which I replied in mine of the 30th May to state that on the 28th November 1890 they requested the Earl of Selborne and Lord Hannen then Sir James Hannen two of their body to examine the existing Statutes of the School in order to advise the Governors with reference :—

1. To Clause 35 Sub-sections one and 2 particularly as to the Classical Department for about 500 Boys and as to the Modern Department for about 500 Boys and as to a School or Schools for not less than 400 Girls in all.
2. To Clause 38 as to Head Masters.
3. To Clauses 69, 70, 71, 72, 73 and 74 as to the subjects of instruction in the various Schools.
4. To Clauses 75, 76 and 77 as to the Scholarships.
5. To the present system of having only one department of 600 Boys with one High Master.

On the 4th March 1891 Lords Selborne and Hannen made a report to the Governors of which I send you a print and that report was referred to a Committee of the Governors for consideration.

The Committee made a report to the Governors on the 17th inst. of which I also send you a copy and that report was approved at a meeting of the Governors held on that day and the following resolution was passed :—

“ That a question having arisen among the Governors as to the bearing of the suggestions contained in the above report of the School Committee on the proper construction or application of the provisions contained in Sections 35 and 75 of the Scheme they do apply to the Charity Commissioners under Section 88 of the Scheme for their opinion and advice in this respect.”

The Governors will be willing to give any further information in their power and would be also willing to meet the Commissioners if it should be thought that any questions would be better dealt with by a personal interview.

I am Sir

Your obedient servant

(Signed) JOHN WATNEY.

The SECRETARY
Charity Commission
Whitehall
S.W.

E
46405

Charity Commission,
25th July, 1891.

ST. PAUL'S SCHOOL.

SIR,

The Charity Commissioners have had under careful consideration your letter of the 25th ultimo, with the accompanying copy of the Report of the Earl of Selborne and Lord Hannen to the Governors of St. Paul's School, dated 4th March, 1891, and of the Report of a Committee of the Governors thereon dated 17th ultimo.

The questions involved are evidently of the utmost importance; and, 10
inasmuch as it would appear that some amendment of the existing scheme is inevitable, the Commissioners would desire in the first instance to have the advantage of a Report from one of their Assistant Commissioners on the present condition of the School, and its working, so far, under its new conditions.

It would not be practicable that any inspection of the School should take place before the impending recess; but, subject to any remarks the Governors may wish to make, the Commissioners would propose that the matter should be taken in hand in the ensuing autumn.

The Commissioners will be glad to hear if this course will be satisfactory to the Governors of St. Paul's School.

I am, Sir,

Your obedient Servant.

D. R. FEARON.

JOHN WATNEY, Esq.,
Mercers' Hall, E.C.

Mercers' Hall
 London E.C.
 August 4th 1891.

SIR,

E
 46405 St. Paul's School.

In reply to your letter of the 25th July which I placed before the
 Governors at their Meeting on the 29th ulto. I am desired to say that the
 Governors acquiesce in the action proposed to be taken by the Charity
 Commissioners on the subject of the report of the School Committee and will
 10 await a further communication from the Commissioners thereon.

I am, Sir,

Your obedient servant,

(Signed) JOHN WATNEY.

The SECRETARY
 Charity Commission
 Whitehall
 S.W.

[29th February, 1892.]

ST. PAUL'S SCHOOL.

Deputation of Governors* received by the Chief Commissioner and Mr. Richmond,
29th February, 1892.

Mr. R. C. Palmer, Chairman of the Governing Body : We are here to listen. We have not had the same opportunities of getting information as the Commissioners have had, and do not desire that anything which may pass to-day should be considered as binding on the Governors.

1. ORGANISATION OF DEPARTMENTS.

Chief Commissioner : We had proposed that the School Committee, on whose 10
report our advice was asked, should meet us in the first instance, but as the Governors have intimated their wish to confer with us, we are glad to have this opportunity of doing so. The Commissioners have no information except what is accessible to the Governors. The report of the School Committee, as adopted by the Governors, recommends the appointment of a Master of the modern department in general subordination to the High Master. Are we to proceed on the basis that the Scheme is not fully carried out at present ? It appears that the building is not capable of containing 1,000 boys, but apparently it would contain some more than at present.

Do Governors think that the unity of the School can be preserved by carrying 20
out the Committee's recommendation ? Or should there be some alteration of the Scheme so as to provide for a smaller school ?

Mr. Richmond spoke of the marked success of the School on the existing lines, and questioned the desirability of imperilling the work by introducing the unprecedented arrangement of a second Head Master. Would it not be better to secure the present success ?

Lord Selborne, who was not a member of the Committee, expressed satisfaction at Mr. Richmond's remarks. No first-class school was doing its work more efficiently. If there was any place where such a school ought to be encouraged it was the metropolis. It was owing to accidental circumstances that St. Paul's 30
was not included in the Public Schools Act, and no one would wish to see it degraded on that account. The School takes the foremost place in giving prominence to the most important modern subjects. Mathematics and French are not half so efficiently taught at other public schools, and no doubt it is the same with other modern subjects. The advantage of two departments is in substance attained.

Clause 53 gives a general superiority to the High Master. This would be difficult to maintain if there were complete separation in other respects, and there would be a tendency on the part of a second Head Master to escape from subordination. Some modification of the Scheme was wanted in order to make 40

* Present : Mr. R. C. Palmer, Col. Clementi, Mr. C. T. Lane, Rev. J. Baden Powell, the Earl of Selborne, Mr. J. P. Holmes, Mr. D. Watney, Mr. G. F. Aston, the Rev. W. W. Capes, the Rev. Dr. Merry, the Rev. F. Wallis, the Rev. Canon Browne, and Dr. Fitch, with Mr. J. Watney, Clerk to the Governors.

the unity substantial. The buildings would not hold many more than 600, and it was difficult to see where funds for a second School were to come from.

With regard to the alleged deviation from the Scheme, it was considered that there was an option as to the order in which the classical and modern departments should be established. The Commissioners had not objected to the Governors going on first with the classical department. They had approved the erection of the present buildings, and it had not been possible to establish a second department. The buildings could not well be subdivided. The Scheme was not strictly followed in regard to the distribution of the Foundation Scholarships, but
 10 this was open to reconsideration.

The Chief Commissioner suggested that, some modification of the Scheme being necessary for preserving unity, there might be a Classical School for 500 and a Modern School for 200 or 250 boys.

Col. Clementi, who had accepted the report of the Committee, asked why a second Master should impair the efficiency of the School.

Mr. Richmond said the principal question was whether it was desirable to introduce a new system. There would be danger of friction, *e.g.*, in the power of appeal to the Governors on matters of school administration, and if the Governors decided in favour of the second Head Master, the position of the High Master
 20 would be intolerable.

Col. Clementi suggested that the recommendation of the Committee did not necessarily involve these dangers, though the Scheme might do so.

The Chief Commissioner remarked that the Committee's report did not in terms recommend any modification of the Scheme.

Mr. R. C. Palmer referred to the case of Bedford School.

Lord Selborne observed that the distinction between the subjects prescribed for the two departments was very slight, and suggested that the same Masters ought to give instruction in the same subjects in both departments. Bisection would be difficult to work out.

30 Col. Clementi: The distinction really turns on Greek. Many parents object to Greek, and therefore wish for a modern side.

Chief Commissioner: It is rather a question of the relative prominence given to different subjects.

Canon Browne doubted whether a modern Master could be sufficiently subordinated, but was ready to try the experiment, giving him only the senior boys on the modern side. He was not sanguine as to success, and thought it might be better to get the Scheme altered so as to make him far more subordinate to the High Master. He is extremely anxious to preserve unity.

40 The building could probably accommodate 750, and, if necessary, class-rooms could be built for 250 more. It was not desirable to build a second School elsewhere.

He was not prepared to admit that the Scheme is not being carried out. It was merely a question of the length of the period allowed for transition.

The Chief Commissioner noticed as a detail that the appointment of a second Head Master under the Scheme would affect the High Master's income, as each Master would be entitled to full capitation fees up to 300 boys in his department.

Lord Selborne said that Lord Hannen and himself had not considered that the Scheme was not being acted upon, except as to distribution of the Scholarships. This was possibly a question rather of form than of substance, but there was not literal compliance.

Canon Browne remarked that some Scholarships are given for modern subjects.

Mr. D. Watney, speaking for himself, said there was a great demand in the country for modern sides. His own definition of a modern side would not agree with that of others. He considered the only distinction should be between classics and modern languages, all other subjects remaining common. There was a danger of too great multiplication of subjects. He would like to see a real modern side, but considered the present system very valuable as an experiment, and would wish the scheme modified with a view of continuing the experiment. 10

Dr. Fitch : The School does give very full recognition to modern subjects, and is very successful in science and modern languages ; but the present practice does not carry out the complete severance intended by the Scheme. Will the Commissioners sanction an arrangement preserving the modern department, and even extending the opportunities for instruction in modern subjects, but making the Master of the modern department far more subordinate to the High Master ? A second School is warranted neither by the state of the funds nor by the educational requirements of London. When funds allow, a girls' school ought to be established. 20

The Chief Commissioner suggested that the modern Master might be paid by salary instead of capitation fees. This would require alteration of Scheme.

Would the observations of the Governors apply to the School under any High Master or only under Mr. Walker ?

Canon Browne, Col. Clementi, and Dr. Fitch : Under any. It was important in view of future High Masters, who might not have Mr. Walker's exceptional power of organisation, that the position of the modern Master should be a dignified one. 30

Col. Clementi would wish to complete St. Paul's School before beginning a girls' school. If there is money enough to build a girls' school, there would be enough to complete the modern department.

Mr. D. Watney urged that the system should remain experimental and subject to ready modification.

Mr. Lane anticipated competition between the two Head Masters if both were entitled to capitation fees. Why not make the High Master supreme ?

Chief Commissioner : This is evidently a stumbling block.

2. FOUNDATION SCHOLARSHIPS.

Mr. Richmond asked whether there was any reason to think that the Foundation scholars are lower in social rank or poorer than others. The Preparatory Schools practically close the door to the poorer classes. And it is said that the average grade of the boys has risen since the removal from the city. 40

Lord Selborne doubted this. At Oxford poverty qualifications had been swept away, it being considered that the motive for preparing the poorer boys

would remain as strong as ever. Opinion was now veering round, and his Lordship sympathised with the change. But if there was to be competition it was hard to handicap those who did best. It did not follow that the less prepared poor boy would be most capable of profiting by the School and doing himself credit.

Col. Clementi said he had satisfied Mr. Beal that the class had not risen. An idea was prevalent that boys who were previously educated at preparatory schools like Mr. Bewsher's get some special advantage, and this was probably the case.

10 Chief Commissioner: The system is much the same as at Eton and Winchester.

Col. Clementi: There is no doubt much heartburning. Some wealthy parents give back the value of the Scholarship.

Lord Selborne said it was worth while to consider whether a limited number of Scholarships might be opened in the first instance to boys from Public Elementary Schools who can pass a standard examination.

Mr. Richmond said there are now many intermediate Schools, *e.g.* United Westminster Schools and Godolphin School, Hammersmith, with low fees suited to persons of small means. A certain proportion of the Scholarships might be
20 separately competed for by boys from such Schools.

Dr. Fitch: The number of the very poor who could use the privilege is very small. In the interests of those who can use it, the entrance examination ought to be an examination into general proficiency, but without necessary knowledge of Latin or Greek. Public elementary school boys coming direct could not make use of a School of the first rank. We should get an unsuitable kind of children and they would be out of place.

Chief Commissioner: It would be better to recruit from the Middle Schools, which are recruited from the Public Elementary Schools.

Lord Selborne: Such boys might take a good place in mathematics, &c., but
30 not in Greek. But that is not important. It is indispensable that the standard should not be lowered. If any Scholarships are so set aside, let a preference alone be given, and in default of candidates who can pass the examination let the Scholarships be thrown open.

Canon Browne suggested a single examination, some of the Scholarships being set apart for the poorer candidates.

Lord Selborne remarked that at Winchester some winners do not take their Scholarships.

Dr. Merry spoke of Honorary Scholarships at Queen's College, Oxford, and Mr. Wallis of Honorary Fellowships at Cambridge.

40 Canon Browne: If a rich boy gives up the emoluments and remains an honorary scholar, a new scholar cannot be appointed in his place, the number being limited by the Scheme to 153.

Col. Clementi: Many parents would give up the emolument if the boys could remain as honorary scholars.

Chief Commissioner suggested establishment of some Honorary Scholarships over and above the 153.

3. TRAVELLING EXPENSES.

Dr. Merry asked if the Clerk might pay his travelling expenses.

Lord Selborne thought that under the present Scheme it could not be. In some cases moderate attendance fees are allowed.

Dr. Merry : Is it prohibited ?

Chief Commissioner : We are not in the habit of holding that such a thing is proper to be done.

Dr. Merry : Do you hold that it is improper ?

Lord Selborne : "Expenses" seem to mean aggregate, not individual, expenses. It is another question whether it is desirable to authorise the 10 payments.

Dr. Merry : Will the Commissioners consider as to amendment on this point ?

Chief Commissioner assented.

Canon Browne, having referred to questions which have arisen outside, said that as one of the University members he desired to express the gratitude of those members to the Company members for the unvarying courtesy and attention with which all their suggestions are received.

Dr. Merry and Dr. Fitch spoke in the same sense.

4. FEES OF NON-FOUNDATIONERS.

20

Mr. Richmond raised a question of finance. Each boy now costs about £30 a year. Was there any adequate reason why pay-scholars should receive a bonus of £6 or £7 ? Could not they easily pay £10 a term, and thus set free from £2,000 to £3,000 a year for charitable purpose ? There was no question here of altering the Scheme.

Col. Clementi agreed with the suggestion.

Lord Selborne said that many could not well afford the maximum fee.

Mr. Richmond : Many pay as high or higher fees at Mr. Bewsher's and other Preparatory Schools.

Dr. Fitch would be sorry to see the fee raised to the maximum without 30 further consideration.

Mr. Richmond would prefer to relieve the poorer boys through the Scholarships, and let the others pay nearer the cost price.

The Chief Commissioner said that the result of the discussion had been to elicit the apparently unanimous opinion of the Governors that in any amendment to be made the preservation of the unity of the School is the first object, and that the scheme as it stands is not well adapted to that object, and that some amendment is necessary. Some modification is required to enable the School to continue, with legal sanction, its present magnificent work. It was satisfactory to have been able to discuss the matter with the Governors instead of with the 40 School Committee, as at first proposed.

Mr. R. C. Palmer : Will the Governors hear from the Commissioners ?

Chief Commissioner : If any Scheme is proposed, the draft will be sent to the Governors for their confidential consideration.

Charity Commission,
10th May, 1892.

LONDON—ST. PAUL'S SCHOOL.

SCHEME.

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46405

SIR,

1. I am instructed by the Charity Commissioners to state for the information of the Governors of St. Paul's School that they have had the circumstances of this case under careful consideration since the date of the conference between the Governors and the Commissioners, held at this office on the 29th of February last, and I am now to state the conclusions at which on the materials before them the Commissioners have arrived with reference to the provisions of a new scheme, which, as was intimated at the conference, would be necessary in order to carry into effect such changes as appear to be requisite.

2. From the information supplied by you the Commissioners gather that in the course of the next three years the net income of the Colet Estate may be estimated to rise to £16,000 a year. It is observed that the Governors estimate the cost, over and above the produce of school fees, of the maintenance of St. Paul's School (including Lord Campden's Exhibitions) at £9,000 a year, that is to say, as involving a charge on the Colet Estate of about £8,000 a year.

3. As was stated at the conference on behalf of the Commissioners, it is considered that the fee fund of the School might, without difficulty, be materially increased, that is to say, that a sum might well be charged more nearly approaching to the annual cost of the education given, which may be put at not less than £30 for each boy. If the fee were fixed at £30, and if the present number of boys were maintained, it would appear that the revenues of the School might in this way be increased to an extent exceeding £2,000 a year; but if no more than £1,000 a year were secured by a raising of the fee it would seem that the charge on the Colet Estate need not exceed £7,000 a year.

4. In considering the development of this great Foundation the first step would therefore seem to be to determine the limit of the charge on the Colet Estate for the existing School, and to this end the first proposal the Commissioners would make is, that in a new Scheme the charge on the Colet Estate for the maintenance of St. Paul's School at West Kensington should be fixed at £7,000 a year, the Foundation of Lord Campden's Exhibitions remaining attached to the School as heretofore. There would remain at disposal an annual sum of £9,000, which should be amply sufficient to provide for the establishment and maintenance of two new Schools, the one for girls and the other for boys.

5. From experience gained in other cases in London, it is calculated that buildings suitable for schools of a high grade for 400 or 500 boys or girls can be provided (apart from sites) for not more than £25,000 each. After allowance for the uncertain element of cost of land, it would seem that for a sum of about £15,000 the entire cost of establishing two schools might be met. The provision of such a capital should entail no serious difficulty, inasmuch as a sum of about £30,000 is already in hand or available, while in the course of the next three years not less than £20,000 will have accumulated from surplus income. The residue might be

1896.
£ 17000

borrowed on the security of the estate. In any event, after the necessary capital expenditure there should remain not less than £6,000 a year for the maintenance of the two schools.

6. There would seem to be no reason why the provision of two new Schools should not be pushed forward simultaneously, and if the new Boys' School were constituted in the fullest sense, a Modern School of the type originally contemplated in the Scheme for St. Paul's School, it would be possible to provide for the continuance of the existing School at West Kensington substantially upon its present lines, that is to say, as a School organised primarily upon a Classical basis, but providing departments for (1) Army Classes ; (2) Advanced Mathematics ; and (3) Science as at present. The administration of that School would then be placed in the hands of one Head Master with the usual powers of appointment and dismissal of all his assistants. 10

7. In one particular, however, the Commissioners would desire to see an important alteration in the present arrangements of that School, that is to say, in reference to the 153 Free Scholarships the obtaining of which, under present circumstances, appears to be too much limited in effect to those whose parents are in a position to afford for their boys the advantages of an expensive Preparatory School. After much consideration the Commissioners remain of the opinion, intimated at the conference, that the most practical mode by which the benefit of these Scholarships may be secured to boys in need of assistance for their higher education in St. Paul's Schools is that a substantial proportion of the Scholarships should be limited in the competition to boys in attendance at other schools regulated by Schemes under the Endowed Schools Acts, or at a Public Elementary School, the examination for such scholarships being restricted to subjects suitable for such boys. The Commissioners would therefore propose that a new scheme should provide, concurrently with the establishment of a separate Modern School for boys, for the maintenance of St. Paul's School on its existing basis, but with a preferential limitation of at least one third of the scholarships in the manner just indicated. 20 30

8. In reference to the Girls' School, it is suggested that instead of the 39 free places provided by the existing scheme, it would be better to introduce a more elastic provision that not more than 10 per cent. of the scholars might receive a gratuitous education.

9. There is one other important matter not referred to at the Conference, which, as it will certainly call for consideration in connection with any new or amended scheme, the Commissioner's desire to bring to the notice of the Governors now. The governing body of St. Paul's School, however efficient for its purpose, does not in its constitution accord with the opinion strongly stated in the report of the Select Committee of the House of Commons of 1886-7, in favour of the introduction of the element of popular representation in the Governing Bodies of Endowed Schools, and the Commissioners would suggest that the opportunity of a new scheme for this foundation should be taken advantage of for the purpose of bringing the Governing Body of this foundation into harmony in this respect with the usual practice. The Commissioners would therefore propose that in the new scheme provision should be made for the addition to the Governing Body, as now 40

constituted, of three persons to be named from time to time by the London County Council.

10. I am to request you to lay these proposals, as soon as conveniently may be, before the Governors of St. Paul's School, and I am to add that, if the Governors should see their way at this stage to express a general and provisional assent to the foregoing proposals, the Commissioners will cause the draft of a new scheme to be prepared in detail, and would submit it for the consideration of the Governors before any further step in the matter should be taken.

I am, Sir,

Your obedient Servant,

J. E. WHITE.

10

JOHN WATNEY, Esq.,
Mercers' Hall, E.C.

[Memorandum enclosed in Letter of 9th June 1892 : John Watney to Secretary,
Charity Commission.]

ST. PAUL'S SCHOOL.

May 1892.

MEMORANDUM ON THE FINANCIAL POSITION OF THE SCHOOL.

The net income of Dean Colet's Estate for the year 1891, paid by the Mercers' Company as trustees of that estate to the Governors of St. Paul's School, was £15,245, and the net income of Lord Campden's Estate for the same year was £935. It may be assumed that by the end of the year 1894 the net income of Dean Colet's Estate will amount to £16,000, while the net income of Lord Campden's Estate will be slightly diminished, owing to the probable reduction in the value of tithes. 10

The subjoined statement shows the expenditure on St. Paul's School for the last three years. The whole of that expenditure is normal, with the exception of the repairs, which in 1891 amounted to £3,882. It may be hoped that the repairs will not average more than £800 a year in the future,* although, looking to the way in which the school and other buildings were put up, it would be impossible to say what defects may be found in the future.

There are at the present time 620 boys in the School, but assuming for the sake of convenience of calculation, 603, viz.: 153 on the foundation and 450 20 paying scholars, the fees of the paying scholars at £24. 9s. (the fee now paid) would amount to £11,002. 10s.; and taking the same number of boys at £30 a year the fees would bring in £13,500.

The cost of the School in 1891 was £24,354, deducting £3,882 paid in that year for repairs, and adding £800, my estimate for future repairs, the cost would be £21,272. From this must be deducted, to compare the figure with the Charity Commissioners' letter of the 10th May, 1892, £935, the income of Lord Campden's Estate, leaving £20,337. Taking the fees at £11,002. 10s., £9,334 would be required to make up the expenditure, and taking the fees at £13,500, £6,837 30 would be required.

But in considering what sum the Governors should require to be paid to them out of the endowment of Dean Colet's Estate it must be borne in mind that it is possible, from various circumstances, *e.g.*, a change in the High Mastership, that the number of boys may not be kept up to 603. If this should be the case practically the only economy which could be made would be in the cost of assistant masters, almost all the other charges being fixed.

It would, therefore, appear to be imprudent for the Governors to consent to receive so small a sum as £7,000 from the Endowment of Dean Colet's Estate, and, if it should be necessary that the Governors should accept a fixed sum from the endowment for the maintenance of St. Paul's School, I would suggest that 40 not less than £8,000 should be required. But I venture to think that it would be

* The cost already incurred for repairs during the present year (1892) is about £1,000.

better that the two other Schools suggested by the Commissioners should have a fixed endowment, and that St. Paul's School should have what is left.

The Charity Commissioners appear to think that the cash at the disposal of the Governors at the present time is about £30,000, and that not less than £20,000 will have accumulated from surplus income in the course of the next three years, that is, by the end of 1894, making in all £50,000, and these figures are probably taken from a statement sent them in February 1891. But the cash now at the disposal of the Governors (without taking into account the balances at the end of 1891) consists of £7,000 Consols, say £6,700 cash, to which a probable annual surplus of £8,000 for the next three years may be added, say £24,000. This will give £30,700 at the end of 1894. The Commissioners probably include in their estimate the sum of £15,993 which was lent by the Governors to Dean Colet's Estate, and may have to be raised by the Company on the security of that Estate, but if this should be done the income of the Estate would be diminished by the interest upon it.

The sum standing to the debit of the Building Account of £3,198 having been paid out of income, it is not necessary to take it into account for the purposes of this memorandum.

JOHN WATNEY.

20 STATEMENT OF EXPENDITURE ON ST. PAUL'S SCHOOL FOR THE YEARS
1889, 1890, and 1891.

	1889	1890	1891	Cost per boy in 1891 (say 600 boys).
	£	£	£	
Salary of Clerk, printing minutes, &c....	210	216	250	8s.
Pensions	300	300	300	10s.
High Master	2,375	2,399	2,400	£4
Assistant Masters	9,871	10,253	10,738	£18
School appliances and apparatus ...	576	592	723	£1 5s.
Books, examination expenses, &c. ...	762	657	696	£1 4s.
30 Repairs	920	858	3,882	£6
Gas, water, coal, servants, cleaning and keeping up grounds	2,005	2,055	1,827	£3
Rates and taxes	1,404	1,392	1,801	£3
Insurance	70	70	74	} 3s.
Advertisements	46	27	23	
Exhibitions	1,560	1,616	1,640	£1 14s.
	<u>£20,099</u>	<u>£20,435</u>	<u>£24,351</u>	

In this statement the shillings and pence are omitted.

Mercers' Hall, E.C.,
June 9th, 1892.

E { London.
46405 { St. Paul's School.
Scheme.

SIR,

I beg to acknowledge the receipt of your letter of the 10th May with the conclusions of the Commissioners on the result of their interview with the Governors on the 29th February last.

The Governors held a meeting a few days since at which the following 10 members were present :—Mr. Ralph Charlton Palmer in the Chair, the Earl of Selborne, Lord Hannen, Colonel Clementi, Mr. Charles Thomas Lane, the Rev. James Baden Powell, Mr. Thomas John Watney, Mr. Daniel Watney, Mr. George Fenn Aston, Colonel Palmer, Mr. Norman Watney, the Rev. William Wolfe Capes, the Rev. William Walter Merry, the Rev. Frederic Wallis, the Rev. Canon Browne, and the Rev. Hubert Ashton Holden.

The Governors gave their earnest and careful consideration to the suggestions in the Commissioners' letter as a basis of the proposed New Scheme, and I am desired to state—

1. That the Governors are of opinion that the fees at present charged in the 20 school, viz., £24 : 9 : 0 per annum, are sufficient and should not be increased.

2. That the sum of £10,000 in the event of the fees remaining unaltered would be required, in addition to such fees, for the maintenance of St. Paul's School, and that £8,000 would not be more than sufficient in the event of the fees being increased to £30 per head.

3. That the Governors are of opinion that a fixed sum out of the income of Dean Colet's Estate should be appropriated to the Modern and Girls' Schools, and that the remainder of income of the Estate should be available for St. Paul's School.

4. That the sum of £30,000 mentioned in the 5th paragraph of the letter 30 under reply as being in hand or available appears to include the proceeds of the sum of £15,993 Consols, which were spent some years ago, in circumstances of which the Commissioners are aware. That sum, if now required for the purposes of the Foundation, must be raised by the Mercers' Company as Trustees of Dean Colet's Estate, and if so raised would carry interest.

5. That in the opinion of the Governors it is not expedient to commence building new schools until money is in hand for the purpose, and that the time has not yet come when sufficient funds are available. When such funds are available the Governors would be prepared to assent to the establishment of a separate Modern School as suggested in clause 6 of the letter under reply. 40

6. That if the Commissioners should be of opinion that the Modern School should have precedence over the Girls' School the Governors would not be unwilling to reconsider their decision in favour of first establishing a Girls' School.

7. I am desired to ask the Commissioners to define more particularly what

is meant by the word "suitable" in the 7th paragraph of their letter, as the Governors are in doubt whether it should be taken to mean that the examination which candidates for Scholarships from other endowed schools, or public elementary schools are to undergo, will require an alteration in the existing examination for St. Paul's School. The Governors are strongly of opinion that the entrance examination for a Scholarship at a public school of the highest grade, such as St. Paul's, should, as a rule, presuppose that the candidate has at least received what is generally understood as secondary or intermediate instruction, whatever be the character of the school from which he proceeds.

10 8. The Governors are in doubt whether the Commissioners intend that the appropriation of such Scholarships should be limited by way of preference only to such cases, and that failing satisfactory candidates on any occasion, such Scholarships should be open to competition in the same manner as the remaining Scholarships.

9. The Governors see no objection to the suggestion of the Commissioners in clause 8 of their letter, that instead of 39 free places in the Girls' School, provided by the existing scheme, not more than 10 per cent. of the scholars might receive a gratuitous education.

20 10. In conclusion, I am to say that the Governors fail to see any advantage in adding to their number members of the London County Council, inasmuch as the functions of that body are of a different character to that of the Governing Body of St. Paul's School, and as the County Council is not elected for educational purposes.

I am, Sir,

Your obedient Servant,

The SECRETARY,

Charity Commissioners.

JOHN WATNEY.

P.S.—I send a memorandum as to the financial position of the school which I laid before the Governors at their last meeting.

Charity Commission,
5th July, 1892.

SIR,

E
46405

ST. PAUL'S SCHOOL, LONDON.

The Commissioners have considered your letter of the 9th ultimo, expressing the views of the Governors in the proposals contained in the letter of 10th May last.

Those proposals were designed *inter alia* to afford, through an immediate expansion of the educational work of this foundation, a means of relief from the difficulties in which the Governors are involved, through the directions of the 10 Scheme of 1879 as affecting the School now existing at West Kensington.

If effect were given to the views of the Governors, as set forth in the paragraphs numbered 1, 2, 3, and 5 of your letter of the 9th ult., it is obvious that several years at least would elapse before such expansion could take place, and such relief be afforded. I am therefore to request that the Commissioners may be informed what course the Governors would propose to pursue in reference to the organisation of St. Paul's School in the immediate future, in view of the directions and intention of the Scheme of 1879.

Passing on to paragraph 7, I am to explain that by the word "suitable" was intended, as the Governors would desire, a thorough intermediate course of 20 instruction, such as is to be obtained in Endowed Schools of a grade lower than St. Paul's, or in such subjects as are included among the specific subjects named in the Code of the Education Department.

In reply to your inquiry in paragraph 8, the intention was to suggest an absolute first preference only, any such scholarships not awarded in default of fit candidates being added to the number of open scholarships.

With reference to the remark contained in the last paragraph of your letter, in regard to the appointment of some Governors by the County Council, it is perhaps scarcely necessary to remind the Governors that County Councils have been entrusted by Parliament with important educational functions and with large 30 funds applicable thereto.

I am, Sir,

Your obedient Servant,

J. E. WHITE.

J. WATNEY, Esq.,
Mercers' Hall, E.C.

Mercers' Hall, E.C.,
July 28th, 1892.

SIR,

E
—46405

LONDON.—ST. PAUL'S SCHOOL—SCHEME.

I am desired by the Governors of St. Paul's School, in acknowledging your letter of the 5th July, to inform you that they met on the 15th of the same month and resolved "that it would be desirable to acquire a site for the establishment of a modern school," and that that resolution was confirmed at a meeting held on the 27th.

10 The Governors hope that the Commissioners will agree with them and will empower them without delay to carry out their resolution.

In reply to the last paragraph of your letter of the 5th inst., I am to say that the Governors would have no objection to a representative of the School Board for London being added to their body, and that in any scheme for a separate modern school they would be very willing to see representatives of the London County Council on the Governing Body of that school.

I am, Sir,

Your obedient Servant,

(Signed) JOHN WATNEY.

20 The SECRETARY,
Charity Commission,
Whitehall, S.W.

Charity Commisison,
17th October, 1892.

E

46405

COUNTY LONDON—ST. PAUL'S SCHOOL.

SIR,

The Commissioners having had under consideration your letter of the 28th July last, I am to communicate to you their opinion that in view of the resolution of the Governors referred to in that letter the most convenient course will be that the Governors should have before them at the earliest opportunity the draft of a scheme amending the scheme under which St. Paul's School is at present administered, and distinctly authorising the establishment on the foundation of 10 a separate modern school for boys. I am accordingly to inform you that the Commissioners will, with as little delay as may be, prepare the draft of such a scheme, and that in the meanwhile it will be open to the Governors to make such preliminary inquiries as they may think fit, with a view to acquiring information as to sites suitable both for a boys' modern school and for a girls' school.

I am, Sir,

Your obedient Servant,

J. E. WHITE.

J. WATNEY, Esq.,
Mercers' Hall, E.C.

Charity Commission,
8th December, 1892.

COUNTY, LONDON.—ST. PAUL'S SCHOOL. E
46405

SIR,

By direction of the Charity Commissioners, I enclose for the consideration of the Governors of St. Paul's School 30 copies of the draft of a Scheme for the future administration of this Foundation, which the Commissioners have prepared and propose to publish in due course under the provisions of the Endowed Schools
10 Acts.

It is hoped that the increase in the annual sum which, in consideration of the expensive character of the buildings, it is proposed to allow for St. Paul's School at West Kensington, from £7,000 to £8,000 (as advised in the memorandum on the financial position of the School, forwarded in your letter of the 9th of June last), will be satisfactory to the Governors. *

It is estimated that after reserving the two annual sums of £2,500, which the Commissioners consider should suffice for the maintenance of the other two Schools, there will remain available for the proposed new sites and buildings, apart from fresh accumulations, capital now producing an income of about £3,000
20 a year. As will be observed, the purport of the Draft is to provide for the establishment of a Boys' Modern School and of a Girls' School, without interfering to any large extent with the existing School at West Kensington, and in the present draft the Governing Body of that School is left unaltered; but it must be borne in mind that this, as well as other points in the Scheme, will be subject to further consideration after publication. For the other Schools it is proposed to create separate Governing Bodies of convenient size, including representatives of the London County Council and of the School Board for London. The scale of tuition fees for St. Paul's School is left unaltered in this Draft, but it being anticipated that sites for the two new Schools will be found in somewhat less
30 wealthy districts, a lower scale of tuition fees, and in consequence a lower scale of capitation payments to the principal teachers, are proposed for these Schools. As regards the 153 Scholarships in St. Paul's School, it is provided in accordance with proposals already communicated to the Governors, that one-third should be awarded in the first instance to boys from other Schools of a public character, and should in view of the probability that the winners would in most cases be unable to attend otherwise so expensive a School, carry exemption from all tuition fees. In regard to the remainder of the 153 Scholarships, it is proposed to empower the Governors to grant such exemption, if any, as they think fit.

40 The Commissioners have received in the course of the last few days a further communication from the London County Council, asking what progress has been made in the matter of St. Paul's School; and I am to add that the Commissioners, while anxious to have the benefit of the careful consideration by the Governors of the Draft Scheme, will be glad to have before them any observations which the Governors may have to make at as early a date as may be.

I am, Sir,

Your obedient Servant,
J. E. WHITE.

J. WATNEY, Esq.,
Mercers' Hall, E.C.

q q

[DRAFT OF DECEMBER, 1892.]

[Enclosed in Letter 8th Dec., 1892 : J. E. White, Charity Commission, to J. Watney.]

Draft for Consideration.

County—LONDON.

Endowment—St. Paul's School.

No. .

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46405



CHARITY COMMISSION.

In the Matter of the Foundation called or known as ST. PAUL'S SCHOOL, in London, founded by Dean Colet, now regulated by a Scheme made under the 10
 Endowed Schools Acts on the 24th March 1876, as altered by a Scheme of the Charity Commissioners of the 4th July 1879 ; and
 In the Matter of the Endowed Schools Acts, 1869, 1873, and 1874.

SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION.

PART I.—GENERAL.

Object

1. The object of the above-named Foundation shall be to supply liberal education for boys and girls by means of Schools in or near London.

Repeal.

2. From the date of this Scheme all the particulars which by the Endowed Schools Acts, 1869, 1873, and 1874 are capable of being hereby repealed and abrogated shall, so far as relates to the management of the Foundation, but not to 20
 the vesting of the property thereof in the Mercers' Company, hereinafter called the Company, be repealed and abrogated.

Jurisdiction of visitor.

3. From the date of this Scheme all rights and powers (if any) formerly reserved or belonging to, or claimed or capable of being exercised by, any body corporate, persons or person, other than Her Majesty, as visitors or visitor of the Foundation, and transferred to Her Majesty, and also any like rights and powers vested in Her Majesty on the 2nd August 1869, shall be exercised only through and by the Charity Commissioners.

4. From the date of this Scheme all jurisdiction of the Ordinary relating to

or arising from the licensing of any master in any endowed school of the Foundation shall be abolished. Jurisdiction of Ordinary.

5. Nothing herein contained shall affect—

Saving of rights and interests.

(1.) The tenure by any person of any Scholarship or Exhibition payable out of the endowments of the Foundation, which was held by him, or had been awarded to him, on or before the date of this Scheme.

(2.) Such interest as any teacher or officer of the Foundation appointed to his office before the 25th June 1868 may have in such office or in any pension or compensation allowance payable out of the endowments of the Foundation and granted before the 25th June 1868.

10

PART II.—MANAGEMENT OF PROPERTY.

6. All the estates and property of the Foundation shall continue to be and shall be vested in the Company, and all such of the said estates and property as shall not for the time being be used or occupied for the purposes of the several Schools of the Foundation, or of their respective playgrounds and appurtenances, shall continue to be managed by the Company, or by their Court of Assistants, or by their officers acting under their orders, according to the general law applicable to the management of property by Trustees of Charitable Foundations. Any money arising from the sale of timber or from any mines or minerals belonging to the Foundation, shall be treated as capital, and invested in any such securities as may from time to time be authorised by any Act of Parliament for the investment of trust funds, except in any special cases in which the Company may be authorised by the Charity Commissioners to apply such money or any part thereof as income. Management of property.

7. All capital sums which, under the provisions of this Scheme, the Company may be required to raise shall be raised by them by sale or mortgage of the real or personal property of the Foundation, or by both those means, or otherwise, on such terms and subject to such conditions as may be sanctioned or prescribed by the Charity Commissioners in each case. Raising money.

8. The provisions of the Charitable Trusts Acts, 1853 to 1891, as to discharge of debts by means of instalments, a sinking fund, or otherwise, shall not apply to any money charged or to be raised under this clause, but the Charity Commissioners may at their discretion require that any debt created under this clause shall be discharged in such manner and within such time as they may think fit to prescribe.

9. The Company shall make such arrangements as they think fit for the custody of all muniments, title deeds, and other documents belonging to the estates and property of the Foundation, for deposit of money, for drawing cheques, and for the appointment and payment of a Clerk and of officers for the conduct of the business relating to the estates and property of the Foundation. Conduct of business.

10. The accounts of the estates and property of the Foundation shall be made up and balanced to the 31st day of December in every year. The accounts shall be signed by the Master or one of the Wardens of the Company within two calendar months after the day to which they are made up. As soon as practicable after the accounts are so signed they shall be audited. Accounts.

Audit.

10. With respect to the audit of the said accounts, the following provisions shall have effect :—

- (1.) The auditor in each year shall be appointed by the Lord Mayor, and shall receive such remuneration as the Company, subject to the approval of the Charity Commissioners, may direct ; and such remuneration, together with the expenses of or incident to the audit, shall be paid by the Company out of the income of the Foundation.
- (2.) The audit shall be held at the office of the Company, or at some other convenient place to be named by them, and at a time to be fixed by the auditor, but to be as soon as possible after the accounts are signed. 10
- (3.) The auditor, at least 14 days before holding the audit, shall serve on the Company, and on the Governing Body hereinafter constituted under this Scheme, notice of the time and place of holding the audit.
- (4.) The Clerk of the Company, or some person authorised by them, shall attend the audit, and produce to the auditor all books, bills, vouchers, and documents relating to the accounts.
- (5.) Any member of the Company, or of the said Governing Body, may be present at the audit, and object to the accounts.
- (6.) The auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the accounts 20 as in the case of an audit of the accounts of the School Board for London, and the Governors or any person aggrieved by the decision of the auditor shall have a right of appeal to the Charity Commissioners, whose decision shall be final.
- (7.) Subject to the provisions of this clause, the Charity Commissioners may from time to time make such regulations as may in their opinion be necessary respecting the form of keeping the accounts and the audit thereof.

When the auditor has completed the audit, he shall sign the balance sheet.

Statement of
Accounts.

11. The Company shall in each year cause a statement of accounts, showing 30 their receipts and expenditure in respect of the Foundation for the preceding year, to be printed in such form, and with such particulars, as may be from time to time prescribed by the Charity Commissioners, and shall send the same within 30 days after the balance sheet is signed by the auditor to the Governing Body hereinafter constituted under this Scheme, and to the Charity Commissioners, and publish an advertisement thereof in two London daily newspapers, and cause copies to be sold to all applicants at a price not exceeding 3*d.* for each copy.

School buildings.

12. The present and any future buildings with their sites and playgrounds used for the purposes of the School or Schools of the Foundation, with their respective appurtenances (herein-after referred to as the Trust), shall, so long as 40 they respectively continue to be so used, be respectively managed by the Governing Bodies hereinafter constituted under this Scheme without interruption by the Company.

Application of
income.

13. The Company may, with the sanction of the Charity Commissioners, from time to time make such donations and annual allowances or subscriptions out of the income of the estates and property of the Foundation as they may think fit,

having regard to the income derived from the estates in respect of which donations or subscriptions are proposed to be made. After paying such donations of subscriptions, and after defraying the expenses of management incurred under the provisions of Parts I., II., and VII. of this Scheme, including a reasonable sum for providing the yearly Apposition dinner, the Company shall pay out of the net income of the Foundation to the Governing Bodies of the Schools hereinafter mentioned, as such times and intervals and in such manner as may be authorised or prescribed from time to time by the Charity Commissioners, such sums as the several Governing Bodies shall require, according to the provisions of this Scheme, for the purposes of the Schools under their management respectively, but so that the amount of income so paid to the Governing Bodies respectively shall not exceed in any one year the following sums :—

	£
St. Paul's School	8,000
Dean Colet's Boys' School	2,500
Dean Colet's Girls' School	2,500

14. If in any year there is any residue of the income of the Foundation not required for the purposes of the several Schools under this Scheme, the Company shall invest such unapplied surplus in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, and whenever the unapplied surplus so invested shall amount to £10,000 application shall be made to the Charity Commissioners by the Governing Body of St. Paul's School for a new Scheme for the administration of the Foundation. Residue.

PART III.—CONSTITUTION OF GOVERNING BODIES OF SCHOOLS.

15. There shall be three Governing Bodies for the three Schools of this Foundation, to be maintained as herein-after provided under the names of St. Paul's School, Dean Colet's Boys' School, and Dean Colet's Girls' School. Governing Bodies of Schools of Foundation.

16. The Governing Body of St. Paul's School shall consist, when complete, of 22 Governors, of whom one shall be the Master and three the Wardens of the Company for the time being, nine shall be appointed by the Court of Assistants of the Company, and the remaining nine (hereinafter described as Elected Governors) shall be appointed as follows :— Governing Body of St. Paul's School.

Three by the Hebdomadal Council of the University of Oxford ;
 Three by the Council of the Senate of the University of Cambridge ; and
 Three by the Senate of the University of London.

Every Governor other than the Master and Wardens of the Company shall be appointed to hold office for five years and then retire.

17. The Governing Body of Dean Colet's Boys' School shall consist, when complete, of 11 members, who shall be appointed as follows :— Governing Body of Dean Colet's Boys' School.

Seven (of whom three at least shall be chosen from among the Elected Governors) by the Governing Body of St. Paul's School ;
 Two by the London County Council ;
 Two by the School Board for London.

Governing Body of
Dean Colet's Girls'
School.

18. The Governing Body of Dean Colet's Girls' School shall consist, when complete, of 11 members, who shall be appointed as follows :—

Seven (of whom three at least shall be chosen from among the Elected Governors) by the Governing Body of St. Paul's School ;

Two (of whom one shall be a woman) by the London County Council.

Two (of whom one shall be a woman) by the School Board of London.

Interpretation of
"Governors."

19. The word "Governors" in this Scheme shall mean the Governing Body of St. Paul's School, the Governing Body of Dean Colet's Boys' School, or the Governing Body of Dean Colet's Girls' School, as the circumstances and context require. If any doubt arises as to the meaning of the word "Governors" in any instance, the matter shall be referred to the Charity Commissioners, whose decision shall be final. 10

Vacation of office.

20. If during his term of office any Governor, other than the Master and Wardens of the Company, become bankrupt or incapacitated to act, or expresses to the Governors in writing his wish to retire, or fails for the space of one year to attend any meeting, the Governors shall, after notice to such Governor at his last known place of residence in England, cause a record of the fact to be entered in their books and notify the same to the Body by whom he was appointed ; and upon such record being entered the Governor to whom it applies shall cease to be a Governor, and thereupon, or upon the death of any Governor, other than the Master and Wardens of the Company, the proper Body shall proceed to appoint a successor to the vacant place. A Governor vacating office by retirement or non-attendance only shall not be thereby disqualified for re-appointment. 20

Masters.

21. No Master or Mistress of any School of the Foundation may be a Governor.

Religious opinions.

22. Religious opinions or attendance or non-attendance at any particular form of religious worship shall not in any way affect the qualification of any person for being a Governor under this Scheme.

Acceptance of office.

23. Every Governor shall, at or before the first meeting he attends in that character, sign a memorandum declaring his acceptance of the office of Governor, and his willingness to do his duty as such, and to act in the trusts of this Scheme ; and until he has signed such a declaration he shall not be entitled to act. 30

Meetings of Governors.

24. The Governors shall from time to time summon and hold such meetings in some convenient place to be fixed by themselves as often as may be found necessary for the management of the Trust, and at least twice in each year, on some convenient day to be appointed by themselves.

Chairmen.

25. The Master of the Company shall be *ex-officio* Chairman of the meetings of the Governors of St. Paul's School. The Governors of Dean Colet's Boys' School and Dean Colet's Girls' School respectively shall, at their first meeting in every year, appoint one of their number to be Chairman of their meetings for the year. Each Governing Body shall make regulations for supplying the place of the Chairman whenever he is absent. 40

Quorum.

26. A quorum shall be constituted in the case of the Governors of St. Paul's School whenever seven Governors are present ; and in the case of the Governors of Dean Colet's Boys' School and Dean Colet's Girls' School respectively whenever five Governors are present ; and any such quorum may act notwithstanding a

vacancy or vacancies in the whole number of Governors. Whenever any decision is made in favour of which less than a majority of the Governors for the time being entitled to act have voted, it shall be competent to any two Governors, within seven days from the day of the decision, to demand that the decision shall be once reconsidered at a special meeting, to be held at an interval of not less than 14 and not more than 21 days after the meeting at which such decision was made.

27. The Chairman or any two Governors may at any time summon a special meeting for any cause that seems to him or them sufficient. Special meetings.

28. All special meetings shall be convened by notice in writing to the Notice.
 10 Governors, specifying the objects of the meeting. And it shall be the duty of the Clerk to the Governors to give such notice when required by the Chairman or any Governors having a right to summon such a meeting.

29. Save as herein otherwise provided, all matters and questions shall be determined by the votes of the majority of the Governors present at any meeting ; Voting.
 and in case of equality of votes, the Chairman of the meeting shall have a second or casting vote.

30. If at any meeting there is not a sufficient number of Governors present Adjournment of meetings.
 to constitute a quorum, or if the business at any meeting is not fully completed, the Governors present may adjourn the meeting to a subsequent day, of which
 20 notice shall be given to all the Governors.

31. A minute book and proper books of account shall be provided by the Books.
 Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for the purpose.

32. Minutes of all proceedings of the Governors shall be entered in the Minutes.
 minute book and duly signed. In the same book shall be recorded the entry into office of every new Governor, and the names of all the Governors present at each meeting, whether a quorum is constituted or not.

33. Full accounts shall be kept of the receipts and expenditure of the Accounts.
 Governors, and such accounts shall be stated for each year, and examined and
 30 passed annually at some meeting within the first two months of the ensuing year, and signed by the Governors then present.

34. The Governors shall in the first quarter of each year cause abstracts of Publication of abstract and reports.
 the accounts for the preceding year to be prepared in such form as shall be prescribed by the Charity Commissioners. The Governors shall at the same time and in the same manner cause annual statements of the progress of the Schools to be prepared. Such abstracts of accounts and such statements for the past year they shall cause to be printed together and published forthwith, and shall advertise such publication in at least two London daily newspapers, and sell copies of the whole set of abstracts and statements so published at such price as they shall think
 40 fit, not exceeding 6*d.* for each copy, to all applicants.

35. The Governors shall make arrangements for the custody of all documents Custody of documents and appointment of Clerk.
 belonging to the Trust, for deposit of money, for drawing cheques, and for the appointment of a Clerk for the conduct of their business. If any such Clerk is himself a Governor he shall not receive a salary.

36. The property of the Trust, so far as the management thereof is under Management.
 the provisions of this Scheme vested in the Governing Bodies of the Schools, shall be managed by the Governors, or by their officers acting under their orders,

according to the general law applicable to the management of property by Trustees of Charitable Foundations.

Precept for raising money.

37. In order to raise any capital sum which the Governors may from time to time be authorised to expend under the provisions of this Scheme, the Governors may serve their precept on the Company requiring them to raise the same in manner hereinbefore provided, and the Company shall forthwith proceed to raise and pay the same to the Governors accordingly. If any doubt arises as to the validity of any precept, the Company or the Governors may refer the question to the Charity Commissioners, whose decision shall be final.

PART IV.—THE SCHOOLS.

10

Schools, sites, buildings.

38. So soon as conveniently may be after the date of this Scheme the Governors shall proceed to acquire such sites, including adequate play-grounds, in some place or places situated within, or in the immediate neighbourhood of, the administrative county of London as shall be necessary for a modern School for boys and a School for girls.

The present School, which shall continue to be called St. Paul's School, shall be maintained in the present buildings as a Classical School with a Modern Department, and, if the Governors think fit, with other Departments; but any such Department or Departments shall be part of the School, and shall be under the sole supervision and control of the High Master as herein-after provided.

20

The Modern School shall be called Dean Colet's Boys' School, and shall be for about 500 boys.

The Girls' School shall be called Dean Colet's Girls' School, and shall be for about 400 girls.

The acquisition of sites for the two last-mentioned Schools shall, so far as regards size and situation, be subject to the approval of the Charity Commissioners. So soon as any such approval has been obtained the Governors shall proceed to erect on the approved site buildings, according to plans to be subject to such approval as aforesaid, suitable for the School intended. For all or any of the above purposes they may from time to time expend such capital sums as may be sanctioned by the Charity Commissioners.

30

Day Schools.

39. All the Schools of the Foundation shall be Day Schools, but the Governors shall have power to admit to all or any of the Schools boys and girls boarding in the houses of Masters or Mistresses, or in such other houses as may from time to time be approved by the Governors.

Masters and Mistresses.

40. There shall be a Head Master of St. Paul's School and a Head Master of Dean Colet's Boys' School. The Head Master of St. Paul's School shall be called the High Master. Both Head Masters shall be graduates of some University in the United Kingdom.

40

There shall be a Head Mistress of Dean Colet's Girls' School, who shall have such qualifications for office as the Governors may think fit to prescribe.

Holy Orders.

41. No person shall be disqualified from being a Master in any of the Schools by reason only of his not being, or not intending to be, in Holy Orders.

42. Subject to the provisions hereinafter contained, the Governors and the

Head Masters and Head Mistress respectively shall make proper provisions for religious instruction in the several Schools ; and such religious instruction shall be in accordance with the principles of the Church of England. Religious instruction.

43. No alteration in any regulations made by the Governors respecting the religious instruction given in any School shall take effect until the expiration of not less than one year after notice of the making of the alteration is given. Endowed Schools Act, 1873, s. 11.

10 44. The parent or guardian of, or person liable to maintain or having the actual custody of any day scholar in any School of the Foundation may claim by notice in writing addressed to the Head Master or Head Mistress of such School the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly ; and a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantages or emoluments in any School of the Foundation or out of any endowments affected by this Scheme to which he or she would otherwise have been entitled. If any teacher in the course of other lessons at which any such scholar is in accordance with the ordinary rules of the School present teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as provided 20 by this clause, the Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of. No 9.15

30 45. The present High Master of St. Paul's School, Mr. Frederick William Walker, shall, if willing, continue to hold the office of Head Master of the same School under this Scheme. Every Head Master and every Head Mistress hereafter to be appointed shall be appointed by the Governors. Every such appointment shall be made at a meeting to be called for the purpose, in the case of the first appointment of a Head Master of Dean Colet's Boys' School, and of a Head Mistress of Dean Colet's Girls' School respectively, as soon as conveniently may be after proper school buildings shall have been provided for those Schools respectively, and in other cases as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers, and by such other methods as they may think fit. Appointment of Head Master and Head Mistress.

40 46. The Governors may dismiss any Head Master or Head Mistress without assigning cause after six calendar months' written notice, given in pursuance of a resolution, passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter. Dismissal without assigning cause.

47. For urgent cause the Governors may, by a resolution passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter, suspend any Head Master or Head Mistress from office, and in that case they shall appoint another special meeting to be held at an interval of not less than a fortnight Dismissal for urgent cause.

Declaration by Head
Masters or Head
Mistress.

Occupation of trust
property by Head
Masters and Head
Mistress.

Personal attention
of Head Masters and
Head Mistress.

No gratuities to
Masters or Mis-
tresses.

Jurisdiction of
Governors over
scholastic
arrangements.

52. Within the limits fixed by this Scheme the Governors shall in each School prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the scholars, and the number of school hours in each week, and of holidays to be given in each term. They shall take general supervision of the sanitary condition of all the school buildings and arrangements, 40 They shall from time to time determine what number of Assistant Masters, Mistresses, or Teachers shall be employed in each School. They shall every year assign to each School the amount to be paid out of the income of the Trust for the salaries of Assistant Teachers, and for the provision of a proper plant or apparatus for carrying on the instruction given in such School.

53. Before acting under the last preceding clause the Governors shall in

all cases consult the Head Master or Mistress of any School concerned, in such a manner as to give him or her full opportunity for the expression of his or her views.

Governors to consult
Head Masters and
Head Mistress.

54. Subject to the rules prescribed by or under the authority of this Scheme, the High Master of St. Paul's School, the Head Master of Dean Colet's Boys' School, and the Head Mistress of Dean Colet's Girls' School shall have under his or her control the method of teaching, the arrangements of classes and school hours, and generally the whole internal organisation, management and discipline of his or her School, and shall have authority over all scholars attending the same in all places and at all times during the school terms: Provided that if any Head Master or the Head Mistress expels a scholar from School he or she shall forthwith make a full report of the case in writing to the Governors.

Jurisdiction of Head
Masters and Head
Mistress.

55. Each Head Master and the Head Mistress shall have the sole power of appointing and of dismissing all Assistant Teachers in the School under his or her control; but shall forthwith notify every appointment in writing to the Governors. Each Head Master and the Head Mistress shall determine, subject to the approval of the Governors, in what manner the sum assigned by the Governors to his or her School for Assistant Teachers and plant or apparatus shall be distributed. The Governors shall pay the sum assigned either through the hands of the Head Master or the Head Mistress of such School or directly as they think best.

Appointment and
removal of Assistant
Teachers.

56. The Head Master or Head Mistress of any School may from time to time submit proposals to the Governors for making or altering regulations as to any matters within his or her province, and the Governors shall consider such proposals and decide upon them.

Head Masters or
Head Mistress may
submit proposals.

57. The High Master of St. Paul's School shall receive a fixed stipend of £300 a year. The Head Master of Dean Colet's Boys' School and the Head Mistress of Dean Colet's Girls' School shall each receive a fixed stipend of £200 a year.

Income of Head
Masters and Head
Mistress.

They shall also be respectively entitled to receive a further or capitation payment calculated on such a scale, uniform or graduated, and at such a rate as may from time to time be fixed by the Governors, being not less than £2 nor more than £5 a year in the case of St. Paul's School, and not less than £2 nor more than £3 in the case of each of the other Schools, for each Scholar attending the School, provided that when the number of scholars in such School exceeds 300, the payment for each scholar in excess of that number shall be £2 yearly. All payments under this clause shall be made terminally or quarterly, as the Governors shall think fit.

58. Subject to the regulations made by or under the authority of this Scheme the Boys' and Girls' Schools of the Foundation, and all their advantages, shall be open to all boys and girls respectively who are of good character and of sufficient bodily health, and who are residing with their parents, guardians, or next friends, or are boarders under the provisions of this Scheme.

To whom Schools are
open.

59. Applications for admission to any School shall be made to some person appointed by the Governors, according to a printed form to be by them approved and delivered to all applicants for admission.

Mode of admission.

60. A register shall be kept of all applications, showing the date at which

Register of applica-
tions.

every application is made for the admission of a scholar, the date of admission, withdrawal, or rejection, the cause of rejection, and the age of the candidate at the date of the application : Provided that every person requiring an application to be registered shall pay such fee as the Governors may fix, not exceeding 10s.

Entrance
examinations.

61. Every candidate for admission into any School of the Foundation shall be examined by or under the direction of the Head Master or the Head Mistress of that School, who shall appoint convenient times for that purpose, and give reasonable notice thereof in writing to the parents or guardians of those whose turn is approaching. No scholar shall be admitted to any School except after passing such examination. Those who are found fit shall, if there is room for them, be 10 admitted in order according to the dates of their application : Provided nevertheless, that each Governor of St. Paul's School shall have the privilege of nominating in every year one candidate for admission into that School, and every candidate so nominated, if found fit and otherwise admissible, shall be entitled to priority of admission over all candidates not so nominated.

Payments for tuition.

62. Except as is herein otherwise expressly provided, each scholar shall pay such tuition fees as the Governors shall fix from time to time, provided that no such tuition fee shall be, in the case of St. Paul's School, less than £20 or more than £30 a year, and in the case of the other Schools of the Foundation less than £12 or more than £20 a year. No preference shall be given to any scholar in 20 respect of such fees on account of his or her place of birth or residence. No extras of any kind shall be allowed without the sanction of the Governors and written consent on behalf of the scholar concerned.

Payments to be made
in advance.

63. All payments for entrance and tuition shall be made in advance in such manner and to such person as the Governors shall from time to time appoint for the purpose, and shall be accounted for by the person receiving them to the Governors, and treated by them as part of the income of the Trust applicable exclusively to the benefit of the School in respect of which they were made.

Ages of scholars.

64. The Governors shall make regulations from time to time for fixing the age of admission to the several Schools. No scholar shall be allowed to remain in 30 any School beyond the end of the school term or half year in which he or she attains the age of 19 years. And the Head Master or Head Mistress of each School shall be at the liberty to make regulations for the withdrawal of scholars in cases where from idleness or incapacity to profit by the instruction given they are materially below the standard of position and attainment proper for their age.

Examinations.

65. There shall be once in every year an examination of the scholars in each School of the Foundation by an Examiner or Examiners appointed for that purpose by the Governors, and paid by them, but otherwise unconnected with such School. In any year the Charity Commissioners may by an Order direct that the Examiner or Examiners for any School shall for that year be appointed 40 in any other manner, and the Examiner or Examiners shall for that year be appointed in the manner so directed. The day of examination shall be fixed by the Governors after consulting the Head Master or Head Mistress, as the case may be. The Examiner or Examiners shall make a report in writing to the Governors on the proficiency of the scholars and on the position of the several Schools as regards instruction and discipline, as shown by the results of the examination. The Governors shall communicate to the Head Master or Head Mistress of each

School the report relating to such School, and shall send a copy of it to the Charity Commissioners.

66. The Head Master or Head Mistress of each School shall make an annual report in writing to the Governors on the general condition of such School, and on any special occurrences during the year. He or she may also mention the names of any scholars who in his or her judgment are worthy of praise or substantial reward, having regard both to proficiency and to conduct.

Reports of Head
Masters and Head
Mistress.

ST. PAUL'S SCHOOL.

67. The examination for admission to St. Paul's School shall be graduated according to the age of the candidates, but it shall never fall below the following standard (that is to say) :—

Entrance examina-
tion.

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ;
The outlines of English History ; and
The elements of Latin Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

68. The subjects of secular instruction in St. Paul's School shall be as follows :—

Subjects of instruc-
tion.

English, Latin, and Greek languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
French and German ;
Drawing ;
Class Singing.

In the Modern Department special attention shall be directed to advanced Mathematics and experimental Science.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the High Master shall settle the arrangements and classification of instruction in the prescribed subjects.

DEAN'S COLET'S BOYS' SCHOOL.

69. The examination for admission to Dean Colet's Boys' School shall be graduated according to the age of the candidates, but it shall never fall below the following standard (that is to say) :—

Entrance examina-
tion.

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ;
The outlines of English History ; and
The elements of French Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

Subjects of instruction.

70. The subjects of secular instruction in Dean Colet's Boys' School shall be as follows :—

English, French, and German languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science, and, in particular, Experimental Physics and Chemistry ;
Latin ;
Drawing ;
Shorthand ;
Class Singing ;
Drill, or other physical exercises.

10

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the Head Master of Dean Colet's Boys' School shall settle the arrangements and classification of instruction in the prescribed subjects.

DEAN COLET'S GIRLS' SCHOOL.

Entrance examination.

71. The examination for admission to Dean Colet's Girls' School shall be graduated according to the age of the candidate, but it shall never fall below the following standard (that is to say) :—

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ; and
The Geography of England.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

Subjects of instruction.

72. The subjects of secular instruction in Dean Colet's Girls' School shall be such as to give a liberal education, and shall be settled from time to time by the Governors. They shall include :—

The English language and literature ;
Latin, French, and German ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
Domestic Economy ;
Calisthenics ;
Laws of Health ;
Drawing ;
Class Singing.

40

The Governors shall have power to direct that arrangements be made for

giving special importance to any one or more of the prescribed subjects ; but, subject to such power, the Head Mistress shall settle the arrangements and classification of instruction in the prescribed subjects.

PART V.—SCHOLARSHIPS AND EXHIBITIONS.

73. There shall be 153 scholars on the Foundation in St. Paul's School.

Scholarships at St.
Paul's Schools.
Award of Scholar-
ships.

74. Of these Scholarships one third shall be awarded on entrance according to the result of competitive examination to candidates not over the age of 14 years who are and have been for at least two years scholars at any endowed school governed by Scheme made under the Endowed Schools Acts or at any public elementary school in the school district of the Metropolis. Holders of such Scholarships shall be entitled to entire exemption from the payment of tuition fees. Any such Scholarship for which there shall be no such duly qualified candidate who, on examination, shall be adjudged worthy to take it shall for that turn be added to the remaining two thirds, and with the remaining two thirds of the Scholarships shall be awarded according to the results of competitive examination under such regulations as the Governors may make from time to time. Holders of such Scholarships as are last mentioned may be granted exemption from the payment of the whole or any part of the tuition fees as the Governors think fit.

75. Scholarships each entitling the holder to exemption from the payment of tuition fees shall be maintained in Dean Colet's Boys' School and in Dean Colet's Girls' School, at the rate of one such Scholarship for every 10 scholars in the School, but such Scholarships shall be at no time less than 10 in number in each School.

Scholarships at Dean
Colet's Boys' and
Girls' Schools.

76. Reasonable notice by advertisement in the public newspapers shall be given of all Scholarships open to candidates not attending the Schools.

Notice as to Scholar-
ships.

77. The Governors shall make regulations from time to time for determining the period of tenure of all Scholarships tenable at the Schools. Every Scholarship tenable at the Schools shall be liable to forfeiture on the order of the Governors in case the Head Master or Head Mistress of the School at which it is held reports that the holder is guilty of misconduct, is irregular in attendance, or fails to maintain a reasonable standard of proficiency ; and no such Scholarship shall be granted to any scholar already attending any school, if the Head Master or Head Mistress reports that such scholar is rendered undeserving of it by misconduct.

Regulations as to
Scholarships.

78. The Governors shall in each year employ the net income payable to them under the provisions of a Scheme made under the Endowed Schools Acts for the management of Lord Campden's Exhibitions, or such portion thereof, being as near as may be the sum of £1,000, as they deem expedient, in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated in St. Paul's School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal education to be approved in each case by the Governors.

Campden Exhibi-
tions from St. Paul's
School.

79. The Governors shall in each year employ the sum of not less than

Leaving Exhibitions
from Dean Colet's
Boys' School.

£500 in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated in Dean Colet's Boys' School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University, or other place of liberal education, or for the purpose of fitting the holder for some profession.

Leaving Exhibitions
from Dean Colet's
Girls' School.

80. The Governors shall in each year employ the sum of not less than £500 in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among girls who have been educated at Dean Colet's Girls' School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any college or place for the higher education of women, or at any training institution for school mistresses or governesses, or applicable for the professional training of the holder in any other way which the Governors may expressly sanction in each individual case. 10

Exhibitions when
voidable.

81. All Exhibitions tenable by scholars after leaving the Schools shall be tenable only for the purposes of education, general or professional. They shall be payable by instalments at such intervals as the Governors shall direct. If the holder of an Exhibition dies, his or her representatives shall be entitled only to the next ensuing payment of an instalment whenever payable. If the holder becomes a bankrupt, or is guilty of gross misconduct or idleness, or wilfully ceases to pursue his or her education, it shall be competent to the Governors to determine the Exhibition as from the last preceding payment of an instalment. 20

Particulars of Exhi-
bitions to be settled
by Governors.

82. Subject to the provisions of this Scheme, the Governors shall from time to time make regulations for determining the number, value, period, and conditions of award and tenure of all Exhibitions tenable by scholars after leaving the Schools, and all other matters relating to such Exhibitions.

PART VI.—APPLICATION OF INCOME.

Pensions.

83. The Governors may from time to time, with the sanction of the Charity Commissioners, grant a pension or retiring allowance to any teacher or officer of any School of the Foundation; and every accruing instalment of any such pension or allowance shall be, until paid, a charge upon the income of the Trust. 30

Other expenses.

84. After defraying the expenses of any legal claims which may be chargeable on the Trust, and the cost of any ordinary repairs or improvements, the Governors shall employ the net income received by them under the provisions hereinbefore contained for the general purposes of the Schools in accordance with the provisions of this Scheme.

Residue.

85. If in any year there is any residue of the income assigned to any School, the Governors of such School may employ it in increasing the amount applicable to the maintenance of Assistant Teachers and of school plant or apparatus, in improving the accommodation of the school buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of such School. 40
Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as unapplied surplus applicable exclusively to such School, and deposit in a bank; and whenever the sums so deposited rise to £500 over and

Unapplied surplus.

above a reasonable current balance they shall invest the same in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, for the benefit of the School in respect of which such unapplied surplus shall have been stated.

PART VII.—GENERAL.

86. The Company or Governors may receive any additional donations or endowments for the general purposes of the Foundation or the Schools thereof. They may also receive donations or endowments for any special objects directed by the donors, provided that such objects are certified by the Charity Commissioners
10 to be for the general benefit of the Foundation or of any School thereof, and not calculated to give privileges to any scholar without regard to merit, and not otherwise inconsistent with or calculated to impede the due working of the provisions of this Scheme.

Further endow-
ments.

87. If at any time any doubt or question arises among the Governors, or between the Company and the Governors, as to the proper construction or application of any of the provisions of this Scheme, the Governors and the Company, if necessary, shall apply to the Charity Commissioners for their opinion and advice thereon, which opinion and advice when given shall be binding on the Governors and on the Company, if concerned.

Charity Commis-
sioners to decide
doubtful questions.

88. The Charity Commissioners may from time to time, in the exercise of
20 their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869, 1873, and 1874.

Charity Commis-
sioners to make new
Schemes.

89. The Governors shall cause this Scheme to be printed, and a copy to be given to every person who shall become a Governor, and to every Master, Mistress, and Teacher appointed to any School of the Foundation, and copies shall be sold at a reasonable price to all purchasers.

Scheme to be printed
and sold.

[To the Governors of St. Paul's School.]

Charity Commission,
4th March, 1893.

LONDON.

ST. PAUL'S SCHOOL AND LORD CAMPDEN'S EXHIBITIONS.

F

46405

SIR,

The Draft Schemes for the Foundations above referred to, prepared by the Charity Commissioners acting under the Endowed Schools Acts, are now published in accordance with section 33 of the Endowed Schools Act, 1869. and I am instructed to enclose 30 copies of each Scheme for the information of 10 the Governors of St. Paul's School.

You will be good enough to acknowledge the receipt. The Governors will note that various alterations have been made in the draft of the Scheme for St. Paul's School on the lines of the suggestions contained in their letter dated the 16th of January last. I am to direct their more particular attention to the alterations which have been made in the provisions relating to the 153 Scholarships (now called Foundation Scholarships) to be held in St. Paul's School. It will be observed that words have been introduced limiting the Endowed Schools specially privileged in the competition for one third of such Scholarships to Schools at which a moderate tuition fee is charged, and that the Mercers' 20 Company's School, scholars from which are understood to have hitherto competed with considerable success in the examinations for Scholarships at St. Paul's School, will be included among Endowed Schools so privileged as being one to which exhibitions are attached governed by Scheme under the Endowed Schools Acts. It will also be observed that the limitation of Public Elementary Schools so privileged to those in the School District of the Metropolis has been omitted.

In reference to the Examination Clause I am to explain that this clause is now by a regular practice introduced by the Commissioners, so far as it applies, into all Schemes for Secondary Schools. The object of the second provision is to enable the Commissioners in the case of Schools which are not regularly 30 examined by public examining bodies, to provide, if occasion should arise, that examination by such a public body should in a given year take the place of the ordinary examination. In the case of the present St. Paul's School the Commissioners note that the regular annual examination is already of this kind.

In regard to the question of pensions referred to in the 3rd paragraph of the Governor's letter of the 16th of January, the Commissioners are of opinion that such matters are best dealt with as occasion arises.

Two months are allowed under the Endowed Schools Act, 1873, for the receipt of objections or suggestions concerning this Scheme.

I am, Sir,

Your obedient Servant,

J. E. WHITE.

J. WATNEY, Esq.,
Mercers' Hall, E.C.

[*To the Mercers' Company.*]

Charity Commission,
4th March, 1893.

E COUNTY LONDON.—ST. PAUL'S SCHOOL AND LORD CAMPDEN'S
46405 EXHIBITIONS.

SIR,—Draft Schemes for the abovementioned Foundations having been prepared and published by the Charity Commissioners under the Endowed School Acts I am to enclose some copies of each Scheme for the information of the Mercers' Company and to enquire whether in the event of the Scheme No. 765 receiving
10 the approval of Her Majesty in Council the Master and three Wardens of the Company would be prepared to take office as Governors, and whether the Court of Assistants would be prepared to appoint nine Governors as proposed in Clause 18 of the Draft Scheme No. 765.

Any objections or suggestions respecting the Scheme should be made in writing to the Commissioners before the 6th day of May next.

I am, Sir,

Your obedient servant,

J. E. WHITE.

J. WATNEY, Esq.,
Mercers' Hall, E.C.

[DRAFT OF MARCH, 1893.]

Draft published.

County,—LONDON.

Endowment—St. Paul's School.

No. 765.

E
46405Received Charity
Commission,
4th March, 1893.

CHARITY COMMISSION.

In the matter of the Foundation called or known as ST. PAUL'S SCHOOL, in 10 London, founded by Dean Colet, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March 1876, as altered by a Scheme of the Charity Commissioners of the 4th July 1879 ; and

In the Matter of the Endowed Schools Acts, 1869, 1873, and 1874.

SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION.

PART I.—GENERAL.

- Object. 1. The object of the above-named Foundation shall be to supply liberal education for boys and girls by means of Schools in or near London.
- Repeal. 2. From the date of this Scheme all the particulars which by the Endowed Schools Acts, 1869, 1873, and 1874 are capable of being hereby repealed and 20 abrogated shall, so far as relates to the management of the Foundation, but not to the vesting of the property thereof in the Mercers' Company, hereinafter called the Company, be repealed and abrogated.
- Jurisdiction of Visitor. 3. From the date of this Scheme all rights and powers (if any) formerly reserved or belonging to, or claimed or capable of being exercised by, any body corporate, persons or person, other than Her Majesty, as visitors or visitor of the Foundation, and transferred to Her Majesty, and also any like rights and powers vested in Her Majesty on the 2nd August 1869, shall be exercised only through and by the Charity Commissioners.

4. From the date of this Scheme all jurisdiction of the Ordinary relating to or arising from the licensing of any master in any endowed school of the Foundation shall be abolished.

Jurisdiction of
Ordinary

5. Nothing herein contained shall affect—

Saving of rights and
interests.

(1.) The tenure by any person of any Scholarship, or of any Exhibition payable out of the endowment of the Foundation, which was held by him, or had been awarded to him, on or before the date of this Scheme.

10 (2.) Such interest as any teacher or officer of the Foundation appointed to his office before the 25th June 1868 may have in such office or as any person may have in any pension or compensation allowance payable out of the endowment of the Foundation and granted before the 25th June 1868.

6. Religious opinions or attendance or non-attendance at any particular form of religious worship shall not in any way affect the qualification of any person for being one of a Governing Body under this Scheme.

Religious opinions.

7. No person receiving any emolument out of the income of the Foundation shall be qualified for being one of a Governing Body under this Scheme.

Persons receiving
emolument not to
be Governors.

PART II.—MANAGEMENT OF PROPERTY.

20 8. Save as hereinafter mentioned all the estates and property of the Foundation shall continue to be and shall be vested in the Company, and all such of the said estates and property as shall not for the time being be used or occupied for the purposes of the several Schools of the Foundation, or of their respective playgrounds and appurtenances, shall continue to be managed by the Company, or by their Court of Assistants, or by their officers acting under their orders, according to the general law applicable to the management of property by Trustees of Charitable Foundations. Any money arising from the sale of timber or from any mines or minerals belonging to the Foundation shall be treated as capital, and invested in any such securities as may from time to time be authorised by any
30 Act of Parliament for the investment of trust funds, except in any special cases in which the Company may be authorised by the Charity Commissioners to apply such money or any part thereof as income.

Management of
property.

9. All capital sums which, under the provisions of this Scheme, the Company may be required to raise shall be raised by them by sale or mortgage of the real or personal property of the Foundation, or by both those means, or otherwise, on such terms and subject to such conditions as may be sanctioned or prescribed by the Charity Commissioners in each case.

Raising money.

40 10. The Company shall make such arrangements as they think fit for the custody of all muniments, title deeds, and other documents belonging to the estates and property of the Foundation, for deposit of money, for drawing cheques, and for the appointment and payment of a Clerk and of other officers for the conduct of the business relating to the estates and property of the Foundation.

Conduct of business.

11. The accounts of the estates and property of the Foundation shall be made up and balanced to the 31st day of December in every year. The accounts shall be signed by the Master or one of the Wardens of the Company within two

Accounts.

calendar months after the day to which they are made up. As soon as practicable after the accounts are so signed they shall be audited.

Audit.

12. With respect to the audit of the said accounts, the following provisions shall have effect :—

- (1.) The auditor in each year shall be appointed by the Lord Mayor, and shall receive such remuneration as the Company, subject to the approval of the Charity Commissioners, may direct; and such remuneration, together with the expenses of or incident to the audit, shall be paid by the Company out of the income of the Foundation.
- (2.) The audit shall be held at the office of the Company, or at some other 10 convenient place to be named by them, and at a time to be fixed by the auditor, but to be as soon as possible after the accounts are signed.
- (3.) The auditor, at least 14 days before holding the audit, shall serve on the Company, and on the Governing Body of St. Paul's School hereinafter constituted under this Scheme, notice of the time and place of holding the audit.
- (4.) The Clerk of the Company, or some person authorised by them, shall attend the audit, and produce to the auditor all books, bills, vouchers, and documents relating to the accounts.
- (5.) Any member of the Company, or of the said Governing Body, may be 20 present at the audit, and object to the accounts.
- (6.) The auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the accounts, as in the case of an audit of the accounts of the School Board for London, and the Governors or any person aggrieved by the decision of the auditor shall have a right of appeal to the Charity Commissioners, whose decision shall be final.
- (7.) Subject to the provisions of this clause, the Charity Commissioners may from time to time make such regulations as may in their opinion be necessary respecting the form of keeping the accounts and the audit 30 thereof.

When the auditor has completed the audit, he shall sign the balance sheet.

13. The Company shall in each year cause a statement of accounts, showing their receipts and expenditure in respect of the Foundation for the preceding year, to be printed in such form, and with such particulars, as may be from time to time prescribed by the Charity Commissioners and shall send the same within 30 days after the balance sheet is signed by the auditor to the Governing Body of St. Paul's School hereinafter constituted under this Scheme, and to the Charity Commissioners, and publish an advertisement thereof in two London daily newspapers, and cause copies to be sold to all applicants at a price not exceeding 40 3*d.* for each copy.

Statement of
accounts.

School buildings.

14. The present and any future buildings with their sites and play-grounds used for the purposes of the School or Schools of the Foundation, with their respective appurtenances, shall, so long as they respectively continue to be so used, be respectively managed by the Governing Bodies hereinafter constituted under this Scheme without interruption by the Company.

15. The Company may, with the sanction of the Charity Commissioners, from time to time make such donations and annual allowances or subscriptions

Application of
income.

out of the income of the estates and property of the Foundation as they may think fit, having regard to the income derived from the estates in respect of which donations or subscriptions are proposed to be made. After paying such donations or subscriptions, and after defraying the expenses of management incurred under the provisions of Parts I. and II. of this Scheme, including a reasonable sum for providing the yearly Apposition dinner, the Company shall pay out of the net income of the Foundation to the Governing Bodies of the Schools hereinafter mentioned, at such times and intervals and in such manner as may be authorised or prescribed from time to time by the Charity Commissioners, such sums as the several Governing Bodies shall require, according to the provisions of this Scheme, for the purposes of the Schools under their management respectively, but so that the amount of income so paid to the Governing Bodies respectively shall not exceed in any one year the following sums :—

	£
St. Paul's School	8,000
Dean Colet's Boys' School	2,500
Dean Colet's Girls' School	2,500

16. If in any year there is any residue of the income of the Foundation not required for the purposes of the several Schools under this Scheme, the Company shall invest such unapplied surplus in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, and whenever the unapplied surplus so invested shall amount to £10,000 application shall be made to the Charity Commissioners by the Governing Body of St. Paul's School, and by all other necessary parties, for a new Scheme for the administration of the Foundation.

PART III.—CONSTITUTION OF GOVERNING BODIES OF SCHOOLS.

17. There shall be three Governing Bodies for the three Schools of this Foundation, to be maintained as hereinafter provided under the names of St. Paul's School, Dean Colet's Boys' School, and Dean Colet's Girls' School.

18. The Governing Body of St. Paul's School shall consist, when complete, of 22 Governors, of whom one shall be the Master and three the Wardens of the Company for the time being, nine shall be appointed by the Court of Assistants of the Company, and the remaining nine (herein-after described as Elected Governors) shall be appointed as follows :—

Three by the Hebdomadal Council of the University of Oxford ;
Three by the Council of the Senate of the University of Cambridge ; and
Three by the Senate of the University of London.

Every Governor other than the Master and Wardens of the Company shall be appointed to hold office for five years and then retire.

19. The Governing Body of Dean Colet's Boys' School shall consist when complete, of 11 members, who shall be appointed as follows :—

Seven (of whom three at least shall be chosen from among the Elected Governors) by the Governing Body of St. Paul's School ;
Two by the London County Council ;
Two by the School Board for London.

Governing Bodies
of Schools of
Foundation.

Governing Body of
St. Paul's School.

Governing Body of
Dean Colet's Boys'
School.

new to Council

Governing Body of
Dean Colet's Girls'
School.

20. The Governing Body of Dean Colet's Girls' School shall consist, when complete, of 11 members, who shall be appointed as follows :—

Seven (of whom three at least shall be chosen from among the Elected Governors) by the Governing Body of St. Paul's School ;

Two (of whom one shall be a woman) by the London County Council ;

Two (of whom one shall be a woman) by the School Board for London.

Interpretation of
"Governors."

21. The word "Governors" in this Scheme shall mean the Governing Body of St. Paul's School, the Governing Body of Dean Colet's Boys' School, or the Governing Body of Dean Colet's Girls' School, as the circumstances and context require. If any doubt arises as to the meaning of the word "Governors" in any instance, the matter shall be referred to the Charity Commissioners, whose decision shall be final. 10

Vacation of office.

22. If during his term of office any Governor, other than the Master and Wardens of the Company, become bankrupt or incapacitated to act, or expresses to the Governors in writing his wish to retire, or fails for the space of one year to attend any meeting, the Governors shall, after notice to such Governor at his last known place of residence in England, cause a record of the fact to be entered in their books, and notify the same to the Body by whom he was appointed ; and upon such record being entered the Governor to whom it applies shall cease to be a Governor, and thereupon, or upon the death of any Governor, other than the Master and Wardens of the Company, the proper Body shall proceed to appoint a successor to the vacant place. A Governor vacating office by retirement or non-attendance only shall not be thereby disqualified for reappointment. 20

Teachers not to be
Governors.

23. No Master or Mistress of any School of the Foundation may be a Governor.

Acceptance of office.

24. Every Governor shall, at or before the first meeting he attends in that character, sign a memorandum declaring his acceptance of the office of Governor, and his willingness to do his duty as such, and to act in the trusts of this Scheme ; and until he has signed such a declaration he shall not be entitled to act.

Meetings of
Governors.

25. The Governors shall from time to time summon and hold meetings in some convenient place to be fixed by themselves as often as may be found necessary and at least twice in each year, on days to be appointed by themselves. 30

Chairmen.

26. The Master of the Company shall be *ex-officio* Chairman of the Governors of St. Paul's School. The Governors of Dean Colet's Boys' School and Dean Colet's Girls' School respectively shall, at their first meeting in every year, appoint one of their number to be their Chairman for the year. Each Governing Body shall make regulations for supplying the place of the Chairman whenever he is absent.

Quorum.

27. A quorum shall be constituted in the case of the Governors of St. Paul's School whenever seven Governors are present ; and in the case of the Governors of Dean Colet's Boys' School and Dean Colet's Girls' School, respectively whenever five Governors are present ; and any such quorum may act notwithstanding a vacancy or vacancies in the whole number of Governors. Whenever any decision is made in favour of which less than a majority of the Governors for the time being entitled to act have voted, it shall be competent 40

to any two Governors, within seven days from the day of the decision, to demand that the decision shall be once reconsidered at a special meeting, to be held at an interval of not less than 14 and not more than 21 days after the meeting at which such decision was made.

28. The Chairman or any two Governors may at any time summon a special meeting for any cause that seems to him or them sufficient. Special meetings.

29. All special meetings shall be convened by notice in writing to the Governors, specifying the object of the meeting. And it shall be the duty of the Clerk to the Governors to give such notice when required by the Chairman or any Governors having a right to summon such a meeting. Notice.

30. Save as herein otherwise provided, all matters and questions shall be determined by the votes of the majority of the Governors present at any meeting; and in case of equality of votes, the Chairman of the meeting shall have a second or casting vote. Voting.

31. If at any meeting there is not a sufficient number of Governors present to constitute a quorum, or if the business at any meeting is not fully completed, the Governors present may adjourn the meeting to a subsequent day, of which notice shall be given to all the Governors. Adjournment of meetings.

32. A minute book and proper books of account shall be provided by the Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for the purpose. Books.

33. Minutes of all proceedings of the Governors shall be entered in the minute book and duly signed by the Chairman of the meeting. In the same book shall be recorded the entry into office of every new Governor, and the names of all the Governors present at each meeting, whether a quorum is constituted or not. Minutes.

34. Full accounts shall be kept of the receipts and expenditure of the Governors, and such accounts shall be stated for each year, and examined and passed annually at some meeting within the first two months of the ensuing year, and signed by the Chairman of the meeting. Accounts.

35. The Governors shall in the first quarter of each year cause abstracts of the accounts for the preceding year to be prepared in such form as shall be prescribed by the Charity Commissioners. The Governors shall at the same time and in the same manner cause annual statements of the progress of the Schools to be prepared. Such abstracts of accounts and such statements for the past year they shall cause to be printed together and published forthwith, and shall advertise such publication in at least two London daily newspapers, and sell copies of the whole set of abstracts and statements so published at such price as they shall think fit, not exceeding 6*d.* for each copy, to all applicants. Publication of abstracts and reports.

36. The Governors shall make arrangements for the custody of all documents, for deposit of money, for drawing cheques, and for the appointment of a Clerk for the conduct of their business. If any such Clerk is himself a Governor he shall not receive a salary. Custody of documents and appointment of Clerk.

37. The property of the Foundation, so far as the management thereof is under the provisions of this Scheme vested in the Governing Bodies of the Schools, shall be managed by the Governors, or by their officers acting under their orders, according to the general law applicable to the management of property by trustees of charitable foundations. Management.

Precept for raising
money.

38. In order to raise any capital sum which the Governors may from time to time be authorised to expend under the provisions of this Scheme, the Governors may serve their precept on the Company requiring them to raise the same in manner herein-before provided, and the Company shall forthwith proceed to raise and pay the same to the Governors accordingly. If any doubt arises as to the validity of any precept, the Company or the Governors may refer the question to the Charity Commissioners, whose decision shall be final.

PART IV.—THE SCHOOLS.

Schools, sites,
buildings.

39. So soon as conveniently may be after the date of this Scheme the Governors shall proceed to acquire such sites, including adequate playgrounds, in 10
some place or places situated within, or in the immediate neighbourhood of, the administrative county of London as shall be necessary for a Modern School for boys and a School for girls.

The present School, which shall continue to be called St. Paul's School, shall be maintained in the present buildings as a Classical School with a Modern Department, and, if the Governors think fit, with other Departments; but any such Department or Departments shall be part of the School, and shall be under the sole supervision and control of the High Master as herein-after provided.

The Modern School shall be called Dean Colet's Boys' School, and shall be 20
for about 500 boys.

The Girls' School shall be called Dean Colet's Girls' School, and shall be for about 400 girls.

The acquisition of sites for the two last-mentioned Schools shall, so far as regards size and situation, be subject to the approval of the Charity Commissioners. So soon as any such approval has been obtained the Governors shall proceed to erect on the approved site buildings, according to plans to be subject to such approval as aforesaid, suitable for the School intended. For all or any of the above purposes they may from time to time expend such capital sums as may be sanctioned by the Charity Commissioners.

Day Schools.

40. All the Schools of the Foundation shall be Day Schools, but the 30
Governors shall have power to admit to all or any of the Schools boys and girls boarding in such of the houses of Masters or Mistresses, or in such other houses, as may from time to time be approved by the Governors.

Masters and
Mistresses.

41. There shall be a Head Master of St. Paul's School and a Head Master of Dean Colet's Boys' School. The Head Master of St. Paul's School shall be called the High Master. Both Head Masters shall be graduates of some University in the United Kingdom.

There shall be a Head Mistress of Dean Colet's Girls' School, who shall have such qualifications for office as the Governors may think fit to prescribe.

Holy Orders.

42. No person shall be disqualified from being a Master in any of the Schools 40
by reason only of his not being, or not intending to be, in Holy Orders.

Religious
instruction.

43. Subject to the provisions hereinafter contained, the Governors and the Head Masters and Head Mistress respectively shall make proper provisions for religious instruction in the several Schools; and such religious instruction shall be in accordance with the principles of the Church of England.

44. No alteration in any regulations made by the Governors respecting the religious instruction given in any School shall take effect until the expiration of not less than one year after notice of the making of the alteration is given.

Endowed School-
Act, 1873, s. 11.

45. The parent or guardian of, or person liable to maintain, or having the actual custody of any day scholar in any School of the Foundation may claim by notice in writing addressed to the Head Master or Head Mistress of such School the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly; and a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantages or emoluments in any School of the Foundation or out of any endowment affected by this Scheme to which he or she would otherwise have been entitled. If the parent or guardian of, or person liable to maintain or having the actual custody of, any scholar who is about to attend any School of the Foundation, and who but for this clause could only be admitted as a boarder, desires the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, but the persons in charge of the boarding houses of the School are not willing to allow such exemption, then it shall be the duty of the Trustees to make proper provisions for enabling the scholar to attend the School, and have such exemption as a day scholar, without being deprived of any advantage or emolument to which he or she would otherwise have been entitled. If any teacher in the course of other lessons at which any scholar exempted under this clause is in accordance with the ordinary rules of the School present teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as provided by this clause, the Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of.

Endowed Schools-
Act, 1869, ss. 17
and 18.

46. The present High Master of St. Paul's School, Mr. Frederick William Walker, shall, if willing, continue to hold the office of Head Master of the same School under this Scheme. Every Head Master and every Head Mistress hereafter to be appointed shall be appointed by the Governors. Every such appointment shall be made at a meeting to be called for the purpose, in the case of the first appointment of a Head Master of Dean Colet's Boys' School, and of a Head Mistress of Dean Colet's Girls' School respectively, as soon as conveniently may be after proper school buildings shall have been provided for those Schools respectively, and in other cases as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers, and by such other methods as they may think fit.

Appointment of
Head Masters and
Head Mistresses.

47. The Governors may dismiss any Head Master or Head Mistress without assigning cause after six calendar months' written notice, given in pursuance of a resolution, passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter.

Dismissal without
assigning cause.

Dismissal for urgent
cause.

48. For urgent cause the Governors may by a resolution passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter, suspend any Head Master or Head Mistress from office, and in that case they shall appoint another special meeting to be held at an interval of not less than a fortnight after the former one, and may then, by a resolution, likewise passed by a majority of votes of the whole number of Governors for the time being entitled to act, wholly and finally dismiss him or her. Full notice and opportunity of defence at both meetings shall be given to such Head Master or Head Mistress, as the case may be.

Declaration by Head
Masters or Head
Mistress.

49. Every Head Master or Head Mistress, previously to entering into office, shall be required to sign a declaration to be entered in the minute book of the Governors in the following form :—

“ I, _____ declare that I will always, to the best of
“ my ability, discharge the duties of High Master of St. Paul's School (or Head
“ Master of Dean Colet's Boys' School, or Head Mistress of Dean Colet's Girls'
“ School, as the case may be), during my tenure of office, and that if I am
“ removed by the Governors, according to the constitution of the said School, I
“ will acquiesce in such removal and will thereupon relinquish all claim to the office
“ and its future emoluments and deliver up to the Governors, or as they direct, 20
“ possession of all their property then in my possession or occupation.”

Occupation of trust
property by Head
Masters and Head
Mistress

50. Every Head Master and Head Mistress to whom a residence shall be assigned by the Governors shall dwell in such residence. Every Head Master and Head Mistress shall have the occupation and use of such residence (if any), and of any other property of the Foundation of which he or she may become occupant, in respect of his or her official character and duties, and not as tenant; and shall, if removed from office, thereupon deliver up possession of such residence and other property to the Governors or as they may direct. No Head Master or Head Mistress shall, except with permission of the Governors, allow any person to occupy his or her official residence or any part thereof.

Personal attention of
Head Masters and
Head Mistress.

51. Every Head Master and Head Mistress shall give personal attention to the duties of the School in his or her charge. No Head Master or Head Mistress shall hold any office or appointment which, in the opinion of the Governors, may interfere with the proper performance of his or her duties under the trusts of this Scheme, and no Head Master shall hold any benefice having the cure of souls.

No gratuities to
Masters or
Mistresses.

52. No Master or Mistress of any rank in the Schools shall receive or demand from any scholar or from any person whomsoever on behalf of any scholar any gratuity, or payment, other than such payments as are prescribed or authorised by this Scheme.

Jurisdiction of
Governors over
scholastic arrange-
ments.

53. Within the limits fixed by this Scheme the Governors shall in each 40
School prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the scholars, and the number of school hours in each week, and of holidays to be given in each term. They shall take general supervision of the sanitary condition of all the school buildings and arrangements. They shall from time to time determine what number of Assistant Masters, Mistresses, or Teachers shall be employed in each School. They shall every year

assign to each School the amount to be paid out of the income of the School for the salaries of the teaching staff, and for the provision of a proper plant or apparatus for carrying on the instruction given in such School.

54. Before acting under the last preceding clause the Governors shall in all cases consult the Head Master or Head Mistress of any School concerned, in such a manner as to give him or her full opportunity for the expression of his or her views.

Governors to consult
Head Masters and
Head Mistress.

10 55. Subject to the rules prescribed by or under the authority of this Scheme, the High Master of St. Paul's School, the Head Master of Dean Colet's Boys' School, and the Head Mistress of Dean Colet's Girls' School shall have under his or her control the method of teaching, the arrangements of classes and school hours, and generally the whole internal organisation, management, and discipline of his or her School, and shall have authority over all scholars attending the same in all places and at all times during the school terms: Provided that if any Head Master or the Head Mistress expels a scholar from the School he or she shall forthwith make a full report of the case in writing to the Governors.

Jurisdiction of Head
Masters and Head
Mistress.

20 56. Each Head Master and the Head Mistress shall have the sole power of appointing and of dismissing all Assistant Teachers in the School under his or her control; but shall forthwith notify every appointment in writing to the Governors. Each Head Master and the Head Mistress shall determine, subject to the approval of the Governors, in what manner the sum assigned by the Governors to his or her School for Assistant Teachers and for plant or apparatus shall be distributed. The Governors shall pay the sum assigned either through the hands of the Head Master or the Head Mistress of such School or directly as they think best.

Appointment and
removal of Assistant
Teachers.

57. The Head Master or Head Mistress of any School may from time to time submit proposals to the Governors for making or altering regulations as to any matters within his or her province, and the Governors shall consider such proposals and decide upon them.

Head Masters or
Head Mistress may
submit proposals.

30 58. The High Master of St. Paul's School shall receive a fixed stipend of £300 a year. The Head Master of Dean Colet's Boys' School and the Head Mistress of Dean Colet's Girls' School shall each receive a fixed stipend of £200 a year.

Income of Head
Masters and Head
Mistress.

40 They shall also be respectively entitled to receive a further or capitation payment calculated on such a scale, uniform or graduated, and at such a rate as may from time to time be fixed by the Governors, being not less than £2 nor more than £5 a year in the case of St. Paul's School, and not less than £2 nor more than £3 in the case of each of the other Schools, for each Scholar attending the School, provided that when the number of scholars in any School exceeds 300, the payment for each scholar in excess of that number shall be £2 yearly. All payments under this clause shall be made terminally or quarterly, as the Governors shall think fit.

59. Subject to the regulations made by or under the authority of this Scheme the Boys' and Girls' Schools of the Foundation, and all their advantages, shall be open to all boys and girls respectively who are of good character and of sufficient bodily health, and who are residing with their parents or guardians, or in exceptional cases with such other persons as the Governors may approve, or who are boarders under the provisions of this Scheme.

To whom Schools
are open.

Mode of admission.

60. Applications for admission to any School shall be made to some person appointed by the Governors, according to a printed form to be by them approved and delivered to all applicants for admission.

Register of applications.

61. A register shall be kept of all applications showing the date at which every application is made for the admission of a scholar, the date of admission, withdrawal, or rejection, the cause of rejection, and the age of the candidate at the date of the application : Provided that every person requiring an application to be registered shall pay such fee as the Governors may fix, not exceeding 10s.

Entrance examinations.

62. Every candidate for admission into any School of the Foundation shall be examined by or under the direction of the Head Master or the Head Mistress 10 of that School, who shall appoint convenient times for that purpose, and give reasonable notice thereof in writing to the parents or guardians of those whose turn is approaching. No scholar shall be admitted to any School except after passing such examination. Those who are found fit shall, if there is room for them, be admitted in order according to the dates of their application : Provided nevertheless, that each Governor of St. Paul's School shall have the privilege of nominating in every year one candidate for admission into that School, and every candidate so nominated, if found fit and otherwise admissible, shall be entitled to priority of admission over all candidates not so nominated.

Entrance and tuition fees.

63. Except as is herein otherwise expressly provided, each scholar shall pay 20 such entrance and tuition fees as the Governors shall fix from time to time, provided that no such entrance fee shall be more than £5 and no such tuition fee shall be, in the case of St. Paul's School, less than £20 or more than £30 a year, and in the case of the other Schools of the Foundation, less than £12 or more than £20 a year. No preference shall be given to any scholar in respect of such fees on account of his or her place of birth or residence. No extras of any kind shall be allowed without the sanction of the Governors and written consent on behalf of the scholar concerned.

Payments to be made in advance.

64. All payments for entrance and tuition shall be made in advance in such manner and to such person as the Governors shall from time to time appoint for 30 the purpose, and shall be accounted for by the person receiving them to the Governors, and treated by them as part of the income of the Foundation applicable exclusively to the benefit of the School in respect of which they were made.

Ages of scholars.

65. The Governors shall make regulations from time to time for fixing the age of admission to the several Schools. No scholar shall be allowed to remain in any School beyond the end of the school term in which he or she attains the age of 19 years. And the Head Master or Head Mistress of each School shall be at liberty to make regulations for the withdrawal of scholars in cases where from idleness or incapacity to profit by the instruction given they are materially below the standard of position and attainment proper for their age. 40

Examinations.

66. There shall be once in every year an examination of the scholars in each School of the Foundation by an Examiner or Examiners, or by an Examining Body, appointed for that purpose by the Governors, and paid by them, but otherwise unconnected with such School. In any year the Charity Commissioners may by an Order direct that the Examiner or Examiners for any School shall for that year be appointed in any other manner, and the Examiner or Examiners shall for that year be appointed in the manner so directed. The day of examination shall be fixed by the Governors after consulting the Head Master or Head Mistress, as the

case may be. The Examiner or Examiners shall make a report in writing to the Governors on the proficiency of the scholars and on the position of the several Schools as regards instruction and discipline, as shown by the results of the examination. The Governors shall communicate to the Head Master or Head Mistress of each School the report relating to such School, and shall send a copy of it to the Charity Commissioners.

67. The Head Master or Head Mistress of each School shall make an annual report in writing to the Governors on the general condition of such School, and on any special occurrences during the year. He or she may also mention the names of any scholars who in his or her judgment are worthy of praise or substantial reward, having regard both to proficiency and to conduct.

Reports of Head
Masters and Head
Mistress.

ST. PAUL'S SCHOOL.

68. The examination for admission to St. Paul's School shall be graduated according to the age of the candidates, but it shall never fall below the following standard (that is to say) :—

Entrance
examination.

20 Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ;
The Outlines of English History ; and
The elements of Latin Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

69. The subjects of secular instruction in St. Paul's School shall be as follows :—

Subject of
instruction.

30 English, Latin, and Greek languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
French and German ;
Drawing ;
Vocal Music ;
Drill and other physical exercises.

In the Modern Department special attention shall be directed to Mathematics, Modern Languages, and Experimental Science.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the High Master shall settle the arrangements and classification of instruction in the prescribed subjects.

DEAN COLET'S BOYS' SCHOOL.

70. The examination for admission to Dean Colet's Boys' School shall be graduated according to the age of the candidates, but it shall never fall below the following standard (that is to say) :—

Entrance
examination.

Reading ;
 Writing from dictation ;
 The first four rules of Arithmetic ;
 The Geography of England ;
 The outlines of English History ; and
 The elements of French Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

71. The subjects of secular instruction in Dean Colet's Boys' School shall be as follows :—

10

English, French, and German languages and literatures ;
 Arithmetic and Mathematics ;
 History and Geography ;
 Natural Science, and, in particular, Experimental Physics and Chemistry ;
 Latin ;
 Drawing ;
 Shorthand ;
 Vocal Music ;
 Drill, and other physical exercises.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but, subject to such power, the Head Master of Dean Colet's Boys' School shall settle the arrangements and classification of instruction in the prescribed subjects.

DEAN COLET'S GIRLS' SCHOOL.

72. The examination for admission to Dean Colet's Girls' School shall be graduated according to the age of the candidate, but it shall never fall below the following standard (that is to say) :—

Reading ;
 Writing from dictation ;
 The first four rules of Arithmetic ;
 The Geography of England ; and
 Plain Needlework.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

30

73. The subjects of secular instruction in Dean Colet's Girls' School shall be such as to give a liberal education, and shall be settled from time to time by the Governors. They shall include :—

The English language and literature
 Latin, French, and German ;
 Arithmetic and Mathematics ;
 History and Geography ;
 Natural Science ;
 Domestic Economy ;

40

Entrance
 Examination.

Subjects of
 instruction.

Calisthenics ;
Laws of Health ;
Drawing ;
Vocal Music.

The Governors shall have power to direct that arrangements be made for giving special importance to any one or more of the prescribed subjects ; but, subject to such power, the Head Mistress shall settle the arrangements and classification of instruction in the prescribed subjects.

PART V.—SCHOLARSHIPS AND EXHIBITIONS.

- 10 74. There shall be 153 scholars on the Foundation in St. Paul's School. Scholarships at
St. Paul's School.
75. Of the Foundation Scholarships one third shall be awarded on entrance according to the result of competitive examination to candidates not over the age of 16 years on the first day of the examination who are and have been for at least two years scholars at any endowed school at which the ordinary tuition fee does not exceed 15*l.* a year and which is governed by Scheme made under the Endowed Schools Acts or to which are attached Exhibitions governed by Scheme under those Acts, or who have been for not less than three years scholars at any public elementary school. Every holder of a Scholarship which is included in the said one third of the Scholarships shall be entitled to entire exemption from
- 20 the payment of entrance and tuition fees. Any such Scholarship for which there shall be no such duly qualified candidate who, on examination, shall be adjudged worthy to take it shall for that turn be added to the remaining two thirds, and with the remaining two thirds of the Scholarships shall be awarded according to the results of competitive examination under such regulations as the Governors may make from time to time. Holders of such Scholarships as are last mentioned may be granted exemption from the payment of the whole or any part of the tuition fees as the Governors think fit.
76. Scholarships each entitling the holder to exemption from the payment of tuition fees shall be maintained in Dean Colet's Boys' School and in Dean Colet's
- 30 Girls' School, at the rate of one such Scholarship for every ten scholars in the School. Scholarships at
Dean Colet's Boys'
and Girls' Schools.
77. Reasonable notice by advertisement in the public newspapers shall be given of the dates of examination for all Scholarships open to candidates not attending the Schools and of the number to be awarded at such examination. Notice as to
Scholarships
78. The Governors shall make regulations from time to time for determining the period of tenure of all Scholarships tenable at the Schools. Every Scholarship tenable at the Schools shall be liable to forfeiture on the order of the Governors in case the Head Master or Head Mistress of the School at which it is held reports that the holder is guilty of misconduct, is irregular in attendance, or fails to maintain a reasonable standard of proficiency ; and no such Scholarship shall
- 40 be granted to any scholar already attending any school, if the Head Master or Head Mistress reports that such scholar is rendered undeserving of it by misconduct. Regulations as to
Scholarships.
79. The Governors shall in each year employ the net income payable to them under the provisions of a Scheme to be made under the Endowed Schools Acts for the administration of Lord Campden's Exhibitions, or such portion
- Campden Exhibi-
tions from St. Paul's
School.

thereof, being as near as may be the sum of 1,000*l.*, as they deem expedient, in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated in St. Paul's School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal education to be approved in each case by the Governors.

Leaving Exhibitions
from Dean Colet's
Boys' School.

80. The Governors shall in each year employ the sum of not less than 500*l.* in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among boys who have been educated in Dean Colet's Boys' School for such time previous to the award thereof as the Governors may 10
from time to time determine, and to be tenable at any University, or other place of liberal education, or for the purpose of fitting the holder for some profession.

Leaving Exhibitions
from Dean Colet's
Girls' School.

81. The Governors shall in each year employ the sum of not less than 500*l.* in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among girls who have been educated at Dean Colet's Girls' School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any college or place for the higher education of women, or at any training institution for school mistresses or governesses, or applicable for the professional training of the holder in any other way which the Governors may expressly sanction in each individual case. 20

Exhibitions when
voidable.

82. All Exhibitions tenable by scholars after leaving the Schools shall be tenable only for the purposes of education, general or professional. They shall be payable by instalments at such intervals as the Governors shall direct. If the holder of an Exhibition dies, his or her representatives shall be entitled only to the next ensuing payment of an instalment whenever payable. If the holder becomes a bankrupt, or is guilty of gross misconduct or idleness, or wilfully ceases to pursue his or her education, it shall be competent to the Governors to determine the Exhibition as from the last preceding payment of an instalment.

Particulars of
Exhibitions to be
settled by Governors.

83. Subject to the provisions of this Scheme, the Governors shall from time to time make regulations for determining the number, value, period, and conditions 30
of award and tenure of all Exhibitions tenable by scholars after leaving the Schools, and all other matters relating to such Exhibitions.

PART VI.—APPLICATION OF INCOME.

Pensions.

84. The Governors may from time to time, with the sanction of the Charity Commissioners, grant a pension or retiring allowance to any teacher or officer of any School of the Foundation; and every accruing instalment of any such pension or allowance shall be, until paid, a charge upon the income of such School.

Other expenses.

85. After defraying the expenses of any legal claims which may be chargeable on the property of the Schools, and the cost of any ordinary repairs or improvements, the Governors shall employ the net income received by them under 40
the provisions herein-before contained for the general purposes of the Schools in accordance with the provisions of this Scheme.

Residue.

86. If in any year there is any residue of the income of any School, the Governors of such School may employ it in increasing the amount applicable to the maintenance of Assistant Teachers and of school plant or apparatus, in

improving the accommodation of the school buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of such School. Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as unapplied surplus applicable exclusively to such School, and deposit in a bank ; and whenever the sums so deposited rise to 500l. over and above a reasonable current balance, they shall invest the same in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, for the benefit of the School in respect of which such unapplied surplus shall have been stated.

10

PART VII.—GENERAL.

87. The Company or the Governors may receive any additional donations or endowments for the general purposes of the Foundation or the Schools thereof. They may also receive donations or endowments for any special objects directed by the donors, provided that such objects are certified by the Charity Commissioners to be for the general benefit of the Foundation or of any School thereof, not calculated to give privileges to any scholar without regard to merit, and not otherwise inconsistent with or calculated to impede the due working of the provisions of this Scheme.

88. Any question as to the construction of this Scheme, or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined conclusively by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

89. The Charity Commissioners may from time to time, in the exercise of their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869, 1873, and 1874.

90. The Company shall cause this Scheme to be printed, and a copy to be given to every person who shall become a Governor, and to every Master, Mistress, and Teacher appointed to any School of the Foundation, and copies shall be sold at a reasonable price to all purchasers.

91. The date of this Scheme shall be the day on which Her Majesty by Order in Council declares her approbation of it.

Published by Order of the Charity Commissioners for England and Wales.

D. R. FEARON,
Secretary.

17th March, 1893

At a meeting of the Governors of St. Paul's School, held at Mercers' Hall on Friday, March 17th, 1893 :—

RESOLVED—

1. That looking to the large amount of money which is likely to be required for repairs to St. Paul's School, the Governors are of opinion that the sums of £8,000 set apart for St. Paul's School, £2,500 for Dean Colet's Boys' School, and £2,500 for Dean Colet's Girls' School, in the 15th paragraph of the draft scheme, should be clear and free from the cost of any structural repairs which may be necessary to any of the three Schools. 10

2. That the Governors object to the principle of limiting competition of one-third of the Scholarships, as defined in Clause 75.

And that a representation be made to the Charity Commissioners on both these subjects.

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Mercers' Hall,
London,
28th March, 1893.

London—
St. Paul's School and
Lord Campden's Exhibitions.

SIR,

10 I am desired by the Governors of St. Paul's School to acknowledge the receipt of your letter of the 4th inst., covering draft schemes for the foundations above referred to, which schemes had been published in accordance with section 33 of the Endowed Schools Act, 1869.

1. I am also desired to send you for the information of the Commissioners a copy of a report made to the Governors by Mr. Daniel Watney, their Surveyor, as to the amount which may be required in each year to maintain the existing buildings of St. Paul's School. It will be seen that the Surveyor estimates that £700 a year may be taken as a fair approximate average of what will be required for some few years, irrespective of any exceptional work that may from time to time be required.

20 2. In these circumstances the Governors are of opinion that the annual sums of £8,000 set apart for St. Paul's School, £2,500 for Dean Colet's Boys' School and £2,500 for Dean Colet's Girls' School, in the 15th paragraph of the draft scheme for St. Paul's School, should be clear and free from the cost of any structural repairs which may be necessary to any of the three schools.

3. The Governors are further of opinion that the limitation in the 75th paragraph of the scheme of competition for one-third of the foundation scholarships of St. Paul's School is objectionable in principle.

4. I am to add that the Governors object to the scheme on the points above mentioned, and desire that it should be amended in these particulars.

30 5. The Governors do not desire to make any observations on the draft scheme for Lord Campden's Exhibitions.

I am, Sir,
Your obedient servant,
(Signed) JOHN WATNEY.

The SECRETARY,
Charity Commission,
Whitehall, S.W.

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Mercers' Hall, London,
5th May, 1893.

SIR,

London—
St. Paul's School and Lord
Campden's Exhibitions.

I am desired by the Court of Assistants of the Mercers' Company to acknowledge the receipt of your letter of the 4th March covering draft Schemes for the above mentioned Foundations which have been prepared and published by the Commissioners under the Endowed Schools Acts and enquiring whether in the event of the Scheme for St. Paul's School receiving the approval of Her Majesty in Council the Master and Wardens of the Company would be prepared to take office as Governors, and whether the Court of Assistants would be prepared to appoint nine Governors as proposed in clause 18 of the same draft scheme. In reply to your letter, I am desired to make the following observations :—

1. The Master and Wardens of the Company would be prepared to take office as Governors, and the Court of Assistants would be prepared to appoint nine Governors as proposed in clause 18 of the draft scheme for St. Paul's School.

2. Clause 15. The Court of Assistants would beg to state that in their opinion after payment of the sums of £2,500 respectively, out of the nett income of the Foundation, to Dean Colet's Boys' and Girls' Schools the balance of such nett income should be paid to the Governors of St. Paul's School. Or if the Commissioners should not feel justified in acceding to this proposal, as an alternative, that a sum not less than £10,000 per annum should be allotted to St. Paul's School out of the nett income of the Foundation, such amount to include any structural repairs which may become necessary to St. Paul's School.

3. Clauses 19 and 20. That the method of election of the first seven Governors of Dean Colet's Boys' School and Dean Colet's Girls' School should be the same as the method of election of the Governors of St. Paul's School, and that that part of the clauses which provides for the election of two members by the London County Council, and two members by the School Board for London on the governing body of the said boys' and girls' schools respectively should be eliminated.

4. Clause 89. That the clause be altered so as to accord with clause 89 of the existing scheme, which provides that the Commissioners may upon the application of the Company or the Governors, frame schemes for the alteration of any provisions of the new scheme.

5. That a similar alteration be made in the sixth clause of the draft scheme for the administration of Lord Campden's Exhibitions.

I am to state that in other respects the Court of Assistants of the Mercers' Company do not see any objection to the schemes.

I am, Sir,

Your obedient servant.

JOHN WATNEY.

The SECRETARY,
Charity Commission,
Whitehall, S.W.

Charity Commission.
1st August, 1893.

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County London.
St. Paul's School.

SIR,

1. I am instructed by the Charity Commissioners to inform you that they have now carefully considered the various communications which have been addressed to them in reference to the draft Scheme published by them under the powers of the Endowed Schools Acts for the future administration of the endowment of St. Paul's School, and I am to state to you, for the information of the Governors, the course which the Commissioners propose to adopt in dealing with the objections which have been raised to certain provisions of the draft. It will be convenient, in the first place, to recount the circumstances which have led to the proposal of a new Scheme at so early a date after the migration of the School to its present site at West Kensington.

2. The Scheme proposed by the Endowed School Commissioners in 1874 contemplated the establishment of three separate Schools, a classical School for 500 boys, a modern School for 500 boys, and a School for 400 girls; the 153 Scholarships to be held as regards 77 in the classical school, and as regards 76 in the modern school. At the instance first of the Mercers' Company and afterwards of the Governors the arrangements proposed by the Endowed Schools Commissioners were altered, with the result that in 1879 the Scheme now governing the Endowment was settled, whereby, instead of two distinct schools for boys, a single School was to be established for 1,000 boys to be organised in two Departments, Classical and Modern, for 500 boys each, with 77 of the Scholarships in the one Department and 76 in the other. Under this Scheme the High Master is constituted Head Master of the Classical Department, and it is directed that another Head Master, with his own staff of Assistants, shall preside over the Modern Department. Special precautions are taken in the Scheme for the avoidance of conflict and the settlement of differences between the two Head Masters. The Trusts of this Scheme are binding upon the Governors at the present moment.

3. So long as the number of boys in the School did not exceed 500, they could, under the terms of the Scheme, be regarded as constituting one Department only; but, with the increase of the number of boys to something more than 600, the separate organisation of a Modern Department became imperative.

4. In these circumstances, the Governors, on the 25th day of June, 1891, applied to the Commissioners for advice; and, on consideration, the Commissioners were of opinion that a new Scheme could alone relieve the Governors from the duty of forthwith establishing a dual Head Mastership.

4. The primary purpose of the proposed Scheme, therefore, is to secure the

unity of the great school which has grown up at West Kensington, and to legalise the system under which it is now organised by the abrogation of all directions relating to a duality of Headmastership and by the recognition of St. Paul's School as a single School, mainly Classical but with a Department (or Departments) in which Classical studies are not predominant.

So far, the Commissioners believe, the Scheme has the unqualified approval not only of the Governors but also of the general body of persons specially interested, whether as former scholars or as parents of scholars, in the continued success of St. Paul's School.

5. With regard to the financial basis of the Scheme, the Commissioners 10 accept the amendment, suggested by the Governors in their letter of the 28th March last, to the effect that "the annual sums, of £8,000 set apart for St. Paul's School, £2,500 for Dean Colet's Boys' School, and £2,500 for Dean Colet's "Girls' School," shall be "clear and free from the cost of any structural repairs "which may be necessary to any of the three Schools."

6. The suggested establishment, out of the residue, of two new schools 20 somewhere in the Metropolitan area was warmly approved by the Chairman of the Governors at interviews at this office on the 12th of October and the 2nd of November last, and is supported by favourable expressions of opinion from other quarters. In the face of so general a consensus the Commissioners refrain from discussing, as they would otherwise desire to do, the alternative suggestion of the High Master to the effect that the surplus of £9,000 a year should be handed over to the School Board for London for the purpose of Scholarships to be held by boys and girls at secondary schools.

7. It has been mentioned that, under the Scheme now governing St. Paul's School, 76 of the Scholarships are required to be held in the Modern Department. It appeared on enquiry that in the autumn of 1891 the number of Scholarships held in the Classical School was 133 and in the Modern Department only 20.

This result, though widely at variance with the intention of the Scheme, is not, perhaps, surprising in a School which has grown up from a basis mainly 30 Classical, and, looking at St. Paul's School as it is rather than as it is designed in its Scheme, the Commissioners have thought it best that the new Scheme should no longer require an appropriation of Scholarships which would seem to presume an equality of status in the two Departments. Accordingly, in the draft Scheme as published, an attempt is made, while leaving two-thirds of the Scholarships to be awarded as heretofore, to make provision with the object of rendering the remaining one-third specially appropriate to the Modern Department. The method proposed in the draft is to remove the one-third from the general competition and to allow a privileged competition for boys coming not from the ordinary preparatory schools, but from certain classes of public schools of a grade 40 inferior to that of St. Paul's School. The suggestion that a proportion of the Scholarships should be competed for in the first instance by boys from Public Intermediate Schools was first made, on behalf of the Commissioners, to the Deputation of the Governors which attended at this office on 29th February, 1892. It was received, apparently, with no disfavour; and, on the part of the Governors, the suggestion was made that boys from Public Elementary Schools might be included in the privilege. The Commissioners, for their part, were doubtful

whether the privilege would be of much value to boys from Elementary Schools; but, the suggestion having been made from a quarter deserving all respect, they preferred to adopt it.

8. The publication of the draft scheme, however, has shown that any limitation of the competition to boys from a special class of schools is regarded with apprehension by many who have the interests of the School at heart; and, although the Commissioners do not share all the fears that have been expressed, they will amend the clause dealing with this matter so as to omit the requirement of a distinct examination for boys from schools of a particular class, and will rely
10 upon the general requirement that, as regards one-third of the Scholarships, special weight in open competition shall be assigned to subjects (excluding Greek) proper to the Modern Department.

9. On the other hand, the Commissioners think that effective provision may properly be made for the promotion of boys and girls from Public Elementary Schools to the new Dean Colet's Schools; and it is proposed to assign half the Scholarships in each School to boys or girls, as the case may be, educated at such Schools. Power will also be given to add a money payment in case of need to the value of the Scholarship, not only in Dean Colet's Schools but also in St. Paul's Schools, itself. As compared with the privilege offered in clause 75 of the
20 published draft, it is considered that the new provisions will be of greater benefit to the poorer classes in London.

10. In the draft Scheme as published no provision is made for Exhibitions from St. Paul's School over and above those on the Foundation of Lord Campden. Words will be added expressly authorising the granting of other Exhibitions out of the general revenues of the School.

11. It remains to state that the Commissioners have given their best consideration to suggestions which have reached them with regard to the constitution of the Governing Bodies of this Endowment. To some of these suggestions, aiming at the withdrawal from the Mercers' Company of the trust
30 which they have exercised for nearly four centuries in administering the property of Dean Colet's gift, the Commissioners do not assent; and the revised draft Scheme will purport to retain in the exclusive control of the Company the administration of the estates forming the Colet endowment, together with that of Lord Campden. On the other hand, for the management of St. Paul's School they propose that, in place of the three wardens of the Company holding office *ex officio*, provision shall be made for the appointment from time to time of three Governors by the London County Council. Thus the existing number of 22 Governors will be preserved.

Further, the Commissioners consider that the Chairmanship of the Board
40 of Governors should be determined by the choice of the Governors themselves, and not be vested by Scheme in an Officer whose personality is changed every year.

12. The Commissioners will, after the recess, forward a revised draft of the Scheme for the information of the Governors before a Scheme is finally submitted to the Education Department.

13. In view of the public attention which has been directed to this matter in Newspapers and otherwise, the Commissioners propose to communicate this letter to the Press.

I am, sir,
Your obedient Servant,

D. R. FEARON.

J. WATNEY, Esq.,
Mercers' Hall, E.C.

[22nd September, 1893.]

At a Meeting of the Governors of St. Paul's School, held at Mercers' Hall, on Friday, 22nd September, 1893.

RESOLVED—

That the said letter be acknowledged, and that the Commissioners be informed that the Governors entertain grave objections to portions of it, and reserve their remarks upon it until the revised draft Scheme is in their hands.

Mercers' Hall,
28th October, 1893.

COUNTY LONDON—ST. PAUL'S SCHOOL.

SIR,—I am desired by the Court of Assistants of the Mercers' Company to say that your letter to me of the 1st August last has been considered by them very carefully, and to submit to the Commissioners the following remarks upon it:—

1. The Court notice a statement in the 2nd paragraph of your letter as follows: "At the instance first of the Mercers' Company and afterwards of the "Governors, the arrangements proposed by the Endowed Schools Commissioners," 10 *i.e.*, by the Scheme of 1876, "were altered with the result that in 1879 the Scheme "now governing the endowment was settled." The Court have no recollection of ever having made any application to the Commissioners for the alteration of the Scheme of 1876, and would be glad if you would kindly state for the information of the Court on what grounds the statement in the words quoted was made, so far as the Mercers' Company are concerned.

2. With reference to paragraph 11 of the letter under reply, the Court of Assistants would beg leave to call to the recollection of the Commissioners the prolonged negotiations with the Endowed Schools Commissioners which preceded the settlement of the Scheme of 1876, and in particular to a conversation which 20 the then Master of the Company had with Lord Lyttelton and Mr. Roby and the Secretary of the Endowed Schools Commission on the 4th November, 1873, in which the Commissioners stated that the Company should retain a decided preponderance in the new Governing Body, and I am desired to point out that the reduction proposed by the Commissioners of the number of Mercers' Governors from 13 to 10 is a distinct infringement of the understanding arrived at with the Endowed Schools Commissioners on which the Company gave their adhesion to the Scheme of 1876. The Court are glad to observe that the Commissioners do not assent to any suggestions of withdrawing from the Mercers' Company the 30 Trust which they have exercised for nearly four centuries in administering the property of Dean Colet's Gift; but they desire to point out that the Wardens are, with the Master, as the Executive of the Company, directly concerned in the management of the Estate of the Foundation. If it should be urged that the Wardens are a changing body, and that it is desired that there should be an element of permanency in the membership of the Governing Body, I am directed to observe that a Warden holds office as Warden and Master for four years consecutively. For these reasons the Court strenuously urge upon the Commissioners the expediency of retaining the Wardens of the Company as *ex-officio* members of the Governing Body.

3. With reference to the proposal of the Commissioners to provide for the 40 appointment of three Governors by the London County Council, the Court wish to point out that St. Paul's School is one of the principal public schools of England, and that the results obtained at the Universities and elsewhere prove that the education there given is of the very highest character. While it may be

desirable that the County Council should be represented on the Governing Body of polytechnic and other schools more or less subsidised by grants from money under the control of the Council, it cannot be said that the County Council have such a connection with higher education in London that it is either necessary or expedient that that body should appoint Governors of St. Paul's School.

4. On the last clause of paragraph 11 of your letter, to the effect that the Chairmanship of the Board of Governors should be determined by the choice of the Governors themselves, and not vested by the Scheme in an officer whose personality is changed every year, the Court would venture to point out that such an alteration in the original Scheme would be again an infringement of the understanding come to between the Company and the Endowed Schools Commissioners when the Scheme of 1876 was being framed. At that time it was felt by the Company that their Master, who had been Chairman of the Court of Assistants, the Governing Body of the School appointed by Dean Colet, ever since the foundation of the School, should continue to be Chairman of the new Governing Body appointed by the Scheme, and the assurance given by Lord Lyttelton at the interview which the then Master had with him on the 4th November, 1873, that the Endowed Schools Commissioners would name the Master of the Company for the time being as the Chairman of the Governing Body, in a great measure conduced to the success of the negotiations between the Endowed Schools Commissioners and the Company for the settlement of the basis on which the Scheme of 1876 was framed. The Court are not aware that the system which has obtained for nearly 400 years has in any way worked to the detriment of the School either before or since the Scheme of 1876 came into operation, nor are they aware that a desire has been expressed by any member of the Governing Body appointed by the Universities of Oxford, Cambridge, and London for an alteration of the present arrangements.

5. In conclusion, I am to state that the Court of Assistants do not desire at the present time at least to make any remarks on the proposed changes in the educational character of the Schools, but prefer to leave that subject to be dealt with by the Governing Body, and also that they trust that before the revised Scheme is finally submitted to the Education Department the Commissioners will be pleased to give the Company an opportunity of seeing it, and, if necessary, of expressing their opinion upon it.

I am, Sir,

Your obedient Servant,

JOHN WATNEY.

The SECRETARY,
Charity Commission,
Whitehall, S.W.

[DRAFT OF NOVEMBER 1893.]

Draft.

County—LONDON.

Endowment—St. Paul's School.

No. 765.

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Received Charity
Commission,
20th November, 1893.



CHARITY COMMISSION.

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In the Matter of the Foundation called or known as ST. PAUL'S SCHOOL, in London, founded by Dean Colet, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March 1876, as altered by a Scheme of the Charity Commissioners of the 4th July 1879 ; and

In the Matter of the Endowed Schools Acts, 1869, 1873, and 1874.

SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION.

PART 1.—GENERAL.

Object.

1. The object of the above named Foundation shall be to supply liberal education for boys and girls by means of Schools in or near London.

Repealed.

2. From the date of this Scheme all the particulars which by the Endowed Schools Acts, 1869, 1873, and 1874 are capable of being hereby repealed and abrogated shall, so far as relates to the management of the Foundation, but not to the vesting of the property thereof in the Wardens and Commonalty of the mystery of Mercers in the city of London, hereinafter called the Company, be repealed and abrogated.

Jurisdiction of visitor.

3. From the date of this Scheme all rights and powers (if any) formerly reserved or belonging to, or claimed or capable of being exercised by, any body corporate, persons or person, other than Her Majesty, as visitors or visitor of the Foundation, and transferred to Her Majesty, and also any like rights and powers vested in Her Majesty on the 2nd August 1869, shall be exercised only through and by the Charity Commissioners for England and Wales.

4. From the date of this Scheme all jurisdiction of the Ordinary relating to or arising from the licensing of any master in any endowed school of the Foundation shall be abolished.

Jurisdiction of
Ordinary.

5. Nothing herein contained shall affect—

Saving of rights and
interests.

(1.) The tenure by any person of any Scholarship, or of any Exhibition payable out of the endowment of the Foundation, which was held by him, or had been awarded to him, on or before the date of this Scheme :

10 (2.) Such interest as any teacher or officer of the Foundation appointed to his office before the 25th June 1868 may have in such office or as any person may have in any pension or compensation allowance payable out of the endowment of the Foundation and granted before the 25th June 1868.

6. Religious opinions or attendance or non-attendance at any particular form of religious worship shall not in any way affect the qualification of any person for being one of a Governing Body under this Scheme.

Religious opinions.

7. No member of a Governing Body under this Scheme shall receive any emolument out of the income of the Foundation.

No Governor to
receive emolument.

PART II.—MANAGEMENT OF PROPERTY.

20 8. Save as herein after mentioned all the estates and property of the Foundation shall continue to be and shall be vested in the Company, and all such of the said estates and property as shall not for the time being be used or occupied for the purposes of the several Schools of the Foundation, or of their respective playgrounds and appurtenances, shall continue to be managed by the Company, or by their Court of Assistants, or by their officers acting under their orders, according to the general law applicable to the management of property by Trustees of Charitable Foundations. Any money arising from the sale of timber or from any mines or minerals belonging to the Foundation shall be treated as capital, and
30 invested in any such securities as may from time to time be authorised by any Act of Parliament for the investment of trust funds, except in any special cases in which the Company may be authorised by the Charity Commissioners to apply such money or any part thereof as income.

Management of
property.

9. All capital sums which, under the provisions of this Scheme, the Company may be required to raise shall be raised by them by sale or mortgage of the real or personal property of the Foundation, or by both those means, or otherwise, on such terms and subject to such conditions as may be sanctioned or prescribed by the Charity Commissioners in each case.

Raising money.

10. The Company shall make such arrangements as they think fit for the custody of all muniments, title deeds, and other documents belonging to the
40 estates and property of the Foundation, for deposit of money, for drawing cheques, and for the appointment and payment of a Clerk and of other officers for the conduct of the business relating to the estates and the property of the Foundation.

Conduct of business.

11. The accounts of the estates and property of the Foundation shall be made up and balanced to the 31st day of December in every year. The accounts shall be signed by the Master or one of the Wardens of the Company within two

Accounts.

calendar months after the day to which they are made up. As soon as practicable after the accounts are so signed they shall be audited.

Audit.

12. With respect to the audit of the said accounts, the following provisions shall have effect :—

- (1.) The auditor in each year shall be appointed by the Lord Mayor of London and shall receive such remuneration as the Company, subject to the approval of the Charity Commissioners, may direct ; and such remuneration, together with the expenses of or incident to the audit, shall be paid by the Company out of the income of the Foundation.
- (2.) The audit shall be held at the office of the Company, or at some other 10 convenient place to be named by them, and at a time to be fixed by the auditor, but to be as soon as possible after the accounts are signed.
- (3.) The auditor, at least 14 days before holding the audit, shall serve on the Company, and on the Governing Body of St. Paul's School hereinafter constituted under this Scheme, notice of the time and place of holding the audit.
- (4.) The Clerk of the Company, or some person authorised by them, shall attend the audit, and produce to the auditor all books, bills, vouchers, and documents relating to the accounts. 20
- (5.) Any member of the Company, or of the said Governing Body, may be present at the audit, and object to the accounts.
- (6.) The auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the accounts, as in the case of an audit of the accounts of the School Board for London, and the Governors or any person aggrieved by the decision of the auditor shall have a right of appeal to the Charity Commissioners, whose decision shall be final.
- (7.) Subject to the provisions of this clause, the Charity Commissioners may from time to time make such regulations as may in their opinion be 30 necessary respecting the form of keeping the accounts and the audit thereof.

When the auditor has completed the audit, he shall sign the balance sheet.

Statement of
accounts.

13. The Company shall in each year cause a statement of accounts, showing their receipts and expenditure in respect of the Foundation for the preceding year, to be printed in such form, and with such particulars, as may be from time to time prescribed by the Charity Commissioners, and shall send the same within 30 days after the balance sheet is signed by the auditor to the Governing Body of St. Paul's School hereinafter constituted under this Scheme, and to the Charity Commissioners, and publish an advertisement thereof in two London daily 40 newspapers, and cause copies to be sold to all applicants at a price not exceeding 3d. for each copy.

School buildings.

14. The present and any future buildings with their sites and playgrounds used for the purposes of the School or Schools of the Foundation, with their respective appurtenances, shall, so long as they respectively continue to be so

used, be respectively managed by the Governing Bodies hereinafter constituted under this Scheme without interruption by the Company.

15. The Company may, with the sanction of the Charity Commissioners, from time to time make such donations and annual allowances or subscriptions out of the income of the estates and property of the Foundation as they may think fit, having regard to the income derived from the estates in respect of which donations or subscriptions are proposed to be made. After paying such donations or subscriptions, and after defraying the expenses of management incurred under the provisions of Parts I. and II. of this Scheme, including a reasonable sum for providing the yearly Apposition dinner, the Company shall pay out of the net income of the Foundation to the Governing Bodies of the Schools hereinafter mentioned such sums as the several Governing Bodies shall require, according to the provisions of this Scheme, for the purposes of the Schools under their management respectively, but so that the amount of income so paid to the Governing Bodies respectively shall not exceed in any one year the following sums :—

	£
St. Paul's School	8,000
Dean Colet's Boys' School	2,500
Dean Colet's Girls' School	2,500

16. If in any year there is any residue of the income of the Foundation not required for the purposes of the several Schools under this Scheme, the Company shall invest such unapplied surplus in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, and whenever the unapplied surplus so invested shall amount to 10,000*l.* application shall be made to the Charity Commissioners by the Governing Body of St. Paul's School, and by all other necessary parties, for a further Scheme for the administration of the Foundation.

PART III.—CONSTITUTION OF GOVERNING BODIES OF SCHOOLS.

17. There shall be three Governing Bodies for the three Schools of this Foundation, to be maintained as herein after provided under the names of St. Paul's School, Dean Colet's Boys' School, and Dean Colet's Girls' School.

18. The Governing Body of St. Paul's School shall consist, when complete, of 22 Governors, of whom one shall be the Master of the Company for the time being, nine shall be appointed by the Court of Assistants of the Company, and the remaining twelve (herein-after described as Elected Governors) shall be appointed as follows :—

Three by the Hebdomadal Council of the University of Oxford ;
 Three by the Council of the Senate of the University of Cambridge ;
 Three by the Senate of the University of London ; and
 Three by the London County Council.

19. The Governing Body of Dean Colet's Boys' School shall consist, when complete, of 11 members, who shall be appointed as follows :—
 Seven (of whom three at least shall be chosen from among the Elected Governors) by the Governing Body of St. Paul's School ;
 Two by the London County Council ;
 Two by the School Board for London.

Governing Body
of Dean Colet's
Girls' School.

20. The Governing Body of Dean Colet's Girls' School shall consist, when complete, of 11 members, who shall be appointed as follows :—

Seven (of whom three at least shall be chosen from among the Elected Governors) by the Governing Body of St. Paul's School ;

Two (of whom one shall be a woman) by the London County Council ;

Two (of whom one shall be a woman) by the School Board for London.

Interpretation of
"Governors."

21. The word "Governors" in this Scheme shall mean the Governing Body of St. Paul's School, the Governing Body of Dean Colet's Boys' School, or the Governing Body of Dean Colet's Girls' School, as the circumstances and context require. If any doubt arises as to the meaning of the word "Governors" 10
in any instance, the matter shall be referred to the Charity Commissioners, whose decision shall be final.

Term and vacation
of office.

22. Every Governor other than the Master of the Company shall be appointed to hold office for five years and then retire. If during his term of office any Governor, other than the Master of the Company, become bankrupt or incapacitated to act, or expresses to the Governors in writing his wish to retire, or fails for the space of one year to attend any meeting, the Governors shall, after notice to such Governor at his last known place of residence in England, cause a record of the fact to be entered in their books, and notify the same to the Body 20
by whom he was appointed ; and upon such record being entered the Governor to whom it applies shall cease to be a Governor, and thereupon, or upon the death of any Governor, other than the Master of the Company, the proper Body shall proceed to appoint a successor to the vacant place. A Governor vacating office by retirement or non attendance only shall not be thereby disqualified for re-appointment.

Teachers not to be
Governors.

23. No Master or Mistress of any School of the Foundation may be a Governor.

Acceptance of
office.

24. Every Governor shall, at or before the first meeting he attends in that character on his first or any subsequent appointment, sign a memorandum declaring his acceptance of the office of Governor, and his willingness to do his 30
duty as such, and to act in the trusts of this Scheme ; and until he has signed such a declaration he shall not be entitled to act.

Meetings of
Governors.

25. The Governors shall from time to time summon and hold meetings in some convenient place to be fixed by themselves as often as may be found necessary and at least twice in each year, on days to be appointed by themselves.

Chairmen.

26. The Governors of St. Paul's School, of Dean Colet's Boys' School and Dean Colet's Girls' School respectively shall, at their first meeting in every year, appoint one of their number to be their Chairman for the year. Each Governing Body shall make regulations for supplying the place of the Chairman in case of his death, resignation, or absence. 40

Quorum.

27. A quorum shall be constituted in the case of the Governors of St. Paul's School whenever seven Governors are present ; and in the case of the Governors of Dean Colet's Boys' School and Dean Colet's Girls' School, respectively, whenever five Governors are present ; and any such quorum may act notwithstanding a vacancy or vacancies in the whole number of Governors. Whenever any decision is made in favour of which less than a majority of the Governors for the

time being entitled to act have voted, it shall be competent to any two Governors, within seven days from the day of the decision, to demand that the decision shall be once reconsidered at a special meeting, to be held at an interval of not less than 14 and not more than 21 days after the meeting at which such decision was made.

28. The Chairman or any two Governors may at any time summon a special meeting for any cause that seems to him or them sufficient. Special meetings.

29. All special meetings shall be convened by notice in writing to the Governors, specifying the object of the meeting. And it shall be the duty of the Clerk to the Governors to give such notice when required by the Chairman or any

10 Governors having a right to summon such a meeting. Notice.

30. Save as herein otherwise provided, all matters and questions shall be determined by the votes of the majority of the Governors present at any meeting; and, in case of equality of votes, the Chairman of the meeting shall have a second or casting vote. Voting.

31. If at any meeting there is not a sufficient number of Governors present to constitute a quorum, or if the business at any meeting is not fully completed, the Governors present may adjourn the meeting to a subsequent day, of which notice shall be given to all the Governors. Adjournment of meetings.

32. A minute book and proper books of account shall be provided by the Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for the purpose. Books.

33. Minutes of all proceedings of the Governors shall be entered in the minute book and duly signed by the Chairman of the meeting. In the same book shall be recorded the entry into office of every new Governor, and the names of all the Governors present at each meeting, whether a quorum is constituted or not. Minutes.

34. Full accounts shall be kept of the receipts and expenditure of the Governors, and such accounts shall be stated for each year, and examined and passed annually at some meeting within the first two months of the ensuing year, and signed by the Chairman of the meeting. Accounts.

30 35. The Governors shall in the first quarter of each year cause abstracts of the accounts for the preceding year to be prepared in such form as shall be prescribed by the Charity Commissioners. The Governors shall at the same time and in the same manner cause annual statements of the progress of the Schools to be prepared. Such abstracts of accounts and such statements for the past year they shall cause to be printed together and published forthwith, and shall advertise such publication in at least two London daily newspapers, and sell copies of the whole set of abstracts and statements so published at such price as they shall think fit, not exceeding 6*d.* for each copy, to all applicants. Publication of abstracts and reports.

40 36. The Governors shall make arrangements for the custody of all documents, for deposit of money, for drawing cheques, and for the appointment of a Clerk for the conduct of their business. If any such Clerk is himself a Governor he shall not receive a salary. Custody of documents and appointment of Clerk.

37. The property of the Foundation, so far as the management thereof is under the provisions of this Scheme vested in the Governing Bodies of the Schools, shall be managed by the Governors, or by their officers acting under their orders, according to the general law applicable to the management of property by trustees of charitable foundations. Management.

Precept for
raising money.

38. In order to raise any capital sum which the Governors may from time to time be authorised to expend under the provisions of this Scheme, the Governors may serve their precept on the Company requiring them to raise the same in manner hereinbefore provided, and the Company shall forthwith proceed to raise and pay the same to the Governors accordingly. If any doubt arises as to the validity of any precept, the Company or the Governors may refer the question to the Charity Commissioners, whose decision shall be final.

PART IV.—THE SCHOOLS.

Schools, sites,
buildings.

39. So soon as conveniently may be after the date of this Scheme the Governors shall proceed to acquire such sites, including adequate playgrounds, 10 in some place or places situated within, or in the immediate neighbourhood of, the administrative county of London as shall be necessary for a Modern School for boys and for a School for girls.

The present School, which shall continue to be called St. Paul's School, shall be maintained in the present buildings as a Classical School with a Modern Department, and, if the Governors think fit, with other Departments; but any such Department or Departments shall be part of the School, and shall be under the sole supervision and control of the High Master as herein-after provided.

The Modern School shall be called Dean Colet's Boys' School, and shall be 20 for about 500 boys.

The Girls' School shall be called Dean Colet's Girls' School, and shall be for about 400 girls.

The acquisition of sites for the two last-mentioned Schools shall, so far as regards size and situation, be subject to the approval of the Charity Commissioners. So soon as any such approval has been obtained the Governors shall proceed to erect on the approved site buildings, according to plans to be subject to such approval as aforesaid, suitable for the School intended. For all or any of the above purposes they may from time to time expend such capital sums as may be sanctioned by the Charity Commissioners.

The cost of permanent structural improvements in the buildings of any of the 30 Schools may, with the sanction of the Charity Commissioners, be defrayed out of the general funds of the Foundation.

Day Schools.

40. All the Schools of the Foundation shall be Day Schools, but the Governors shall have power to admit to all or any of the Schools boys and girls boarding in such of the houses of Masters or Mistresses, or in such other houses, as may from time to time be approved by the Governors.

Head Masters and
Mistress.

41. There shall be a Head Master of St. Paul's School and a Head Master of Dean Colet's Boys' School. The Head Master of St. Paul's School shall be called the High Master. Both Head Masters shall be graduates of some University in the United Kingdom.

40

There shall be a Head Mistress of Dean Colet's Girls' School, who shall have such qualifications for office as the Governors may think fit to prescribe.

Holy Orders.

42. No person shall be disqualified from being a Master in any of the Schools by reason only of his not being, or not intending to be, in Holy Orders.

Religious
Instruction.

43. Subject to the provisions hereinafter contained, the Governors and the Head Masters and Head Mistress respectively shall make proper provisions for

religious instruction in the several Schools ; and such religious instruction shall be in accordance with the principles of the Church of England.

44. No alteration in any regulations made by the Governors respecting the religious instruction given in any School shall take effect until the expiration of not less than one year after notice of the making of the alteration is given.

Endowed Schools
Act, 1873, s. 11.

45. The parent or guardian of, or person liable to maintain, or having the actual custody of any day scholar in any School of the Foundation may claim by notice in writing addressed to the Head Master or Head Mistress of such School the exemption of such scholar from attending prayer or religious worship, or from
10 any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly ; and a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantages or emoluments in any School of the Foundation or out of any endowment affected by this Scheme to which he or she would otherwise have been entitled. If the parent or guardian of, or person liable to maintain or having the actual custody of, any scholar who is about to attend any School of the Foundation, and who but for this clause could only be admitted as a boarder, desires the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject,
20 but the persons in charge of the boarding houses of the School are not willing to allow such exemption, then it shall be the duty of the Trustees to make proper provisions for enabling the scholar to attend the School, and have such exemption as a day scholar, without being deprived of any advantage or emolument to which he or she would otherwise have been entitled. If any teacher in the course of other lessons at which any scholar exempted under this clause is in accordance with the ordinary rules of the School present teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as provided by this clause, the Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having
30 the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of.

Endowed Schools
Act, 1869 ss. 15
and 16.

46. The present High Master of St. Paul's School, Mr. Frederick William Walker, shall, if willing, continue to hold the office of Head Master of the same School under this Scheme. Every Head Master and every Head Mistress hereafter to be appointed shall be appointed by the Governors. Every such appointment shall be made at a meeting to be called for the purpose, in the case of the first appointment of a Head Master of Dean Colet's Boys' School, and of a Head Mistress of Dean Colet's Girls' School respectively, as soon as conveniently may be after
40 proper school buildings shall have been provided for those Schools respectively, and in other cases as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers, and by such other methods as they may think fit.

Appointment of
Head Masters and
Head Mistress.

47. The Governors may dismiss any Head Master or Head Mistress without assigning cause after six calendar months' written notice, given in pursuance of a

Dismissal without
assigning cause.

resolution, passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter.

Dismissal for urgent
cause.

48. For urgent cause the Governors may by a resolution passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter, suspend any Head Master or Head Mistress from office, and in that case they shall appoint another special meeting to be held at an interval of not less than a fortnight after the former one, and may then, by a resolution, likewise passed by a majority of votes of the whole number of Governors for the time being entitled to act, wholly and finally dismiss him or her. Full notice and opportunity of defence at both meetings shall be given to such Head Master or Head Mistress, as the case may be. 10

Declaration by
Head Masters or
Head Mistress.

49. Every Head Master or Head Mistress, previously to entering into office, shall be required to sign a declaration to be entered in the minute book of the Governors, in the following form :—

“ I, _____ declare that I will always, to the best of my
“ ability, discharge the duties of High Master of St. Paul’s School (or Head
“ Master of Dean Colet’s Boys’ School, or Head Mistress of Dean Colet’s Girls’
“ School, as the case may be), during my tenure of office, and that if I am removed 20
“ by the Governors, according to the constitution of the said School, I will acquiesce
“ in such removal and will thereupon relinquish all claim to the office and its
“ future emoluments and deliver up to the Governors, or as they direct, possession
“ of all their property then in my possession or occupation.”

Occupation of trust
property by Head
Masters and Head
Mistress.

50. Every Head Master and Head Mistress to whom a residence shall be assigned by the Governors shall dwell in such residence. Every Head Master and Head Mistress shall have the occupation and use of such residence (if any), and of any other property of the Foundation of which he or she may become occupant, in respect of his or her official character and duties, and not as tenant ; and shall, if removed from office, thereupon deliver up possession of such residence 30 and other property to the Governors or as they may direct. No Head Master or Head Mistress shall, except with permission of the Governors, allow any person to occupy his or her official residence or any part thereof.

Personal attention of
Head Masters and
Head Mistress.

51. Every Head Master and Head Mistress shall give personal attention to the duties of the School in his or her charge. No Head Master or Head Mistress shall hold any office or appointment which, in the opinion of the Governors, may interfere with the proper performance of his or her duties under the trusts of this Scheme, and no Head Master shall hold any benefice having the cure of souls.

No gratuities to
Masters or
Mistresses.

52. No Master or Mistress of any rank in the Schools shall receive or demand from any scholar or from any person whomsoever on behalf of any scholar any 40 gratuity, or payment, other than such payments as are prescribed or authorised by this Scheme.

Juri-diction of
Governors over
scholastic
arrangements.

53. Within the limits fixed by this Scheme the Governors shall in each School prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the scholars, and the number of school hours in

each week, and of holidays to be given in each term. They shall take general supervision of the sanitary condition of all the school buildings and arrangements. They shall from time to time determine what number of Assistant Masters, Mistresses, or Teachers shall be employed in each School. They shall every year assign to each School the amount to be paid out of the income of the School for the salaries of the teaching staff, and for the provision of a proper plant or apparatus for carrying on the instruction given in such School.

54. Before acting under the last preceding clause the Governors shall in all cases consult the Head Master or Head Mistress of any School concerned, in such a manner as to give him or her full opportunity for the expression of his or her views.

Governors to consult
Head Masters and
Head Mistress

55. Subject to the rules prescribed by or under the authority of this Scheme, the High Master of St. Paul's School, the Head Master of Dean Colet's Boys' School, and the Head Mistress of Dean Colet's Girls' School shall have under his or her control the method of teaching, the arrangements of classes and school hours, and generally the whole internal organisation, management, and discipline of his or her School, and shall have authority over all scholars attending the same in all places and at all times during the school terms: Provided that if any Head Master or the Head Mistress expels a scholar from the School he or she shall forthwith make a full report of the case in writing to the Governors.

Jurisdiction of
Head Masters and
Head Mistress.

56. Each Head Master and the Head Mistress shall have the sole power of appointing and of dismissing all Assistant Teachers in the School under his or her control; but shall forthwith notify every appointment in writing to the Governors. Each Head Master and the Head Mistress shall determine, subject to the approval of the Governors, in what manner the sum assigned by the Governors to his or her School for Assistant Teachers and for plant or apparatus shall be distributed. The Governors shall pay the sum assigned either through the hands of the Head Master or the Head Mistress of such School or directly as they think best.

Appointment and
removal of Assistant
Teachers.

57. The Head Master or Head Mistress of any School may from time to time submit proposals to the Governors for making or altering regulations as to any matters within his or her province, and the Governors shall consider such proposals and decide upon them.

Head Masters or
Head Mistress may
submit proposals.

58. The High Master of St. Paul's School shall receive a fixed stipend of 300*l.* a year. The Head Master of Dean Colet's Boys' School and the Head Mistress of Dean Colet's Girls' School shall each receive a fixed stipend of 200*l.* a year.

Income of Head
Masters and Head
Mistress.

They shall also be respectively entitled to receive a further or capitation payment calculated on such a scale, uniform or graduated, and at such a rate as may from time to time be fixed by the Governors, being not less than 2*l.* nor more than 5*l.* a year in the case of St. Paul's School, and not less than 2*l.* nor more than 3*l.* in the case of each of the other Schools, for each Scholar attending the School, provided that, when the number of scholars in any School exceeds 300, the payment for each scholar in excess of that number shall be 2*l.* yearly. All payments under this clause shall be made terminally or quarterly, as the Governors shall think fit.

To whom Schools
are open.

59. Subject to the regulations made by or under the authority of this Scheme the Boys' and Girls' Schools of the Foundation, and all their advantages, shall be open to all boys and girls respectively who are of good character and of sufficient bodily health, and who are residing with their parents, guardians, or near relations within degrees of kindred to be fixed by the Governors, or in exceptional cases with such other persons as the Governors may approve, or who are boarders under the provisions of this Scheme.

Mode of admission.

60. Applications for admission to any School shall be made to some person appointed by the Governors according to a printed form to be by them approved and delivered to all applicants for admission.

10

Register of
applications.

61. A register shall be kept of all applications showing the date at which every application is made for the admission of a scholar, the date of admission, withdrawal, or rejection, the cause of rejection, and the age of the candidate at the date of the application : Provided that every person requiring an application to be registered shall pay such fee as the Governors may fix, not exceeding 10s.

Entrance
examinations.

62. Every candidate for admission into any School of the Foundation shall be examined by or under the direction of the Head Master or the Head Mistress of that School, who shall appoint convenient times for that purpose, and give reasonable notice thereof in writing to the parents or guardians of those whose turn is approaching. No scholar shall be admitted to any School except after 20 passing such examination. Those who are found fit shall, if there is room for them, be admitted in order according to the dates of their application : Provided nevertheless, that each Governor of St. Paul's School shall have the privilege of nominating in every year one candidate for admission into that School, and every candidate so nominated, if found fit and otherwise admissible, shall be entitled to priority of admission over all candidates not so nominated.

Entrance and
tuition fees.

63. Except as is herein otherwise expressly provided, each scholar shall pay such entrance and tuition fees as the Governors shall fix from time to time, provided that no such entrance fee shall be more than 5*l.* and no such tuition fee shall be, in the case of St. Paul's School, less than 20*l.* or more than 30*l.* a year, and, in the case 30 of the other Schools of the Foundation, less than 12*l.*, or more than 20*l.* a year. No preference shall be given to any scholar in respect of such fees on account of his or her place of birth or residence. No extras of any kind shall be allowed without the sanction of the Governors and written consent on behalf of the scholar concerned.

Payments to be
made in advance.

64. All payments for entrance and tuition shall be made in advance in such manner and to such person as the Governors shall from time to time appoint for the purpose, and shall be accounted for by the person receiving them to the Governors, and treated by them as part of the income of the Foundation applicable exclusively to the benefit of the School in respect of which they were made.

40

Ages of Scholars.

65. The Governors shall make regulations from time to time for fixing the age of admission to the several Schools. No scholar shall be allowed to remain in any School beyond the end of the school term or half year in which he or she attains the age of 19 years. And the Head Master or Head Mistress of each School shall be at liberty to make regulations for the withdrawal of scholars in cases where from idleness or incapacity to profit by the instruction given they are materially below the standard of position and attainment proper for their age.

66. There shall be once in every year an examination of the scholars in each School of the Foundation by an Examiner or Examiners, or by an Examining Body, appointed for that purpose by the Governors, and paid by them, but otherwise unconnected with such School. In any year the Charity Commissioners may by an Order direct that the Examiner or Examiners for any School shall for that year be appointed in any other manner, and the Examiner or Examiners shall for that year be appointed in the manner so directed. The day of examination shall be fixed by the Governors after consulting the Head Master or Head Mistress, as the case may be. The Examiner or Examiners shall make a report in writing to the Governors on the proficiency of the scholars and on the position of the several Schools as regards instruction and discipline, as shown by the results of the examination. The Governors shall communicate to the Head Master or Head Mistress of each School the report relating to such School, and shall send a copy of it to the Charity Commissioners.

Examinations.

67. The Head Master or Head Mistress of each School shall make an annual report in writing to the Governors on the general condition of such School, and on any special occurrences during the year. He or she may also mention the names of any scholars who in his or her judgment are worthy of praise or substantial reward, having regard both to proficiency and to conduct.

Reports of Head Masters and Head Mistress.

20 ST. PAUL'S SCHOOL.

68. The examination for admission to St. Paul's School shall be graduated according to the age of the candidates, but it shall never fall below the following standard (that is to say) :—

Entrance examination.

Reading ;
 Writing from dictation ;
 The first four rules of Arithmetic ;
 The Geography of England ;
 The outlines of English History ; and
 The elements of Latin Grammar.

30 The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

69. The subjects of secular instruction in St. Paul's School shall be as follows :—

Subjects of instruction.

English, Latin, and Greek languages and literatures ;
 Arithmetic and Mathematics ;
 History and Geography ;
 Natural Science ;
 French and German ;
 Drawing ;
 Vocal Music ;
 Drill and other physical exercises.

40 In the Modern Department special attention shall be directed to Mathematics, Modern Languages, and Experimental Science.

The Governors shall have power to add other subjects to the above list, and

to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the High Master shall settle the arrangements and classification of instruction in the prescribed subjects.

DEAN COLET'S BOYS' SCHOOL.

Entrance
examination.

70. The examination for admission to Dean Colet's Boys' School shall be graduated according to the age of the candidates, but it shall never fall below the following standard (that is to say) :—

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ;
The outlines of English History ; and
The elements of French Grammar.

10

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

Subjects of
instruction.

71. The subjects of secular instruction in Dean Colet's Boys' School shall be as follows :—

English, French, and German languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science, and, in particular, Experimental Physics and Chemistry ;
Latin ;
Drawing ;
Shorthand ;
Vocal Music ;
Drill, and other physical exercises.

20

The Governors shall have power to direct that arrangements be made for giving special importance to any one or more of the prescribed subjects ; but, subject to such power, the Head Master of Dean Colet's Boys' School shall settle the arrangements and classification of instruction in the prescribed subjects.

30

DEAN COLET'S GIRLS' SCHOOL.

Entrance
examination.

72. The examination for admission to Dean Colet's Girls' School shall be graduated according to the age of the candidate, but it shall never fall below the following standard (that is to say) :—

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ; and
Plain Needlework.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

40

73. The subjects of secular instruction in Dean Colet's Girls' School shall be as follows :— Subjects of instruction.

The English language and literature ;
 Latin, French, and German ;
 Arithmetic and Mathematics ;
 History and Geography ;
 Natural Science ;
 Drawing ;
 Domestic Economy and the Laws of Health ;
 Vocal Music ;
 Callisthenics.

The Governors shall have power to direct that arrangements be made for giving special importance to any one or more of the prescribed subjects ; but, subject to such power, the Head Mistress shall settle the arrangements and classification of instruction in the prescribed subjects.

PART V.—SCHOLARSHIPS AND EXHIBITIONS.

74. There shall be 153 scholars on the Foundation in St. Paul's School. Scholarships at St. Paul's School

75. The Foundation Scholarships shall be awarded according to the result of competitive examination to candidates not over the age of 16 years on the first day of the examination. The subjects of such examination and their relative value shall be considered and approved by the Governors, and as regards one third of the Scholarships special weight shall be attached to subjects proper to the Modern Department and Greek shall not be required. Holders of Scholarships may be granted exemption from the payment of the whole or any part of the tuition fees as the Governors think fit. Award of Scholarships.

76. Scholarships each entitling the holder to exemption from the payment of tuition fees shall be maintained in Dean Colet's Boys' School and in Dean Colet's Girls' School, at the rate of one such Scholarship for every 10 scholars in the School, but so that not less than 25 such Scholarships shall be maintained in each School. One half of such Scholarships in both Schools shall be competed for in the first instance by children who are and have for three years been scholars at any public elementary school. Scholarships at Dean Colet's Boys and Girls' Schools.

77. The Governors may award to any holder of a Scholarship, whether in St. Paul's School or in either of Dean Colet's Schools, who in the opinion of the Governors is fitted by his or her circumstances to receive such benefits, sums of money not exceeding 20*l.* in any one year to any one scholar. Additional payments to holders of Scholarships.

78. Reasonable notice by advertisement in the public newspapers shall be given of the dates and subjects of examination for all Scholarships open to candidates not attending the Schools and of the number to be awarded at such examination. Notice as to Scholarships.

79. The Governors shall make regulations from time to time for determining the period of tenure of all Scholarships. Every Scholarship shall be awarded by free and open competition and shall be liable to forfeiture on the order of the Governors in case the Head Master or Head Mistress of the School at which it is held reports that the holder is guilty of misconduct, is irregular in attendance, or Regulations as to Scholarships.

fails to maintain a reasonable standard of proficiency ; and no such Scholarship shall be granted to any scholar already attending any School, if the Head Master or Head Mistress reports that such scholar is rendered undeserving of it by misconduct.

Campden
Exhibitions from
St. Paul's School.

80. The Governors shall in each year employ the net income payable to them under the provisions of a Scheme to be made under the Endowed Schools Acts for the administration of Lord Campden's Exhibitions, or such portion thereof, being as near as may be the sum of 1,000*l.*, as they deem expedient, together with such further sum as they think fit, not exceeding 1,000*l.*, in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated in St. Paul's School for such time previous 10 to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal or professional education to be approved in each case by the Governors.

Leaving
Exhibitions from
Dean Colet's Boys'
School.

81. The Governors shall in each year employ the sum of not less than 500*l.* in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among boys who have been educated in Dean Colet's Boys' School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University, or other place of liberal education, or for the purpose of fitting the holder for some profession.

Leaving
Exhibitions from
Dean Colet's Girls'
School.

82. The Governors shall in each year employ the sum of not less than 500*l.* 20 in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among girls who have been educated at Dean Colet's Girls' School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any college or place for the higher education of women, or at any training institution for school mistresses or governesses, or applicable for the professional training of the holder in any other way which the Governors may expressly sanction in each case.

Exhibitions when
voidable.

83. All Exhibitions shall be tenable only for the purposes of education, general or professional. They shall be payable by instalments at such intervals as the Governors shall direct. If the holder of an Exhibition dies, his or her 30 representatives shall be entitled only to the next ensuing payment of an instalment whenever payable. If the holder becomes a bankrupt, or is guilty of gross misconduct or idleness, or wilfully ceases to pursue his or her education, it shall be competent to the Governors to determine the Exhibition as from the last preceding payment of an instalment.

Particulars of
Exhibitions to be
settled by
Governors.

84. Subject to the provisions of this Scheme, the Governors shall from time to time make regulations for determining the number, value, period, and conditions of award and tenure of all Exhibitions, and all other matters relating to such Exhibitions.

PART VI.—APPLICATION OF INCOME.

40

Pensions.

85. The Governors may from time to time, with the sanction of the Charity Commissioners, grant a pension or retiring allowance to any teacher or officer of any School of the Foundation ; and every accruing instalment of any such pension or allowance shall be, until paid, a charge upon the income of such School.

Other expenses.

86. After defraying the expenses of any legal claims which may be chargeable on the property of the Schools, and the cost of any ordinary repairs or

improvements, the Governors shall employ the net income received by them under the provisions hereinbefore contained for the general purposes of the Schools in accordance with the provisions of this Scheme.

87. If in any year there is any residue of the income of any School, the Governors of such School may employ it in increasing the amount applicable to the maintenance of Assistant Teachers and of school plant or apparatus, in improving the accommodation of the school buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of such School. Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as unapplied surplus applicable exclusively to such School, and deposit in a bank ; and whenever the sums so deposited rise to 500*l.* over and above a reasonable current balance, they shall invest the same in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, for the benefit of the School in respect of which such unapplied surplus shall have been stated.

Residue.

Unapplied surplus.

PART VII.—GENERAL.

88. The Company or the Governors may receive any additional donations or endowments for the general purposes of the Foundation or the Schools thereof. They may also receive donations or endowments for any special objects directed by the donors, provided that such objects are certified by the Charity Commissioners to be for the general benefit of the Foundation or of any School thereof, not calculated to give privileges to any scholar without regard to merit, and not otherwise inconsistent with or calculated to impede the due working of the provisions of this Scheme.

Further endowments.

89. Any question as to the construction of this Scheme, or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined conclusively by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

Charity Commissioners to decide doubtful questions.

90. The Charity Commissioners may from time to time, in the exercise of their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869, 1873, and 1874.

Charity Commissioners to make new Schemes.

91. The Company shall cause this Scheme to be printed, and a copy to be given to every person who shall become a Governor, and to every Master, Mistress, and Teacher appointed to any School of the Foundation, and copies shall be sold at a reasonable price to all purchasers.

Scheme to be printed and sold

92. The date of this Scheme shall be the day on which Her Majesty by Order in Council declares her approbation of it.

Date of Scheme.

[NOTES OF HIGH MASTER ON SCHEME.]

St. Paul's School,
November 27th, 1893.

MY LORDS AND GENTLEMEN,

It has been suggested by a gentleman to whose judgment I defer in this matter, that I should do well to lay before you any observations I thought of value on the present draft Scheme of the Charity Commissioners. The appended notes are an attempt in this direction. I entertain some serious objections against the general policy of the Scheme, but I have abstained from touching on this side of the question. I have confined myself to a benevolent criticism of the details 10 with a desire of making the language of the Scheme more precise, and its provisions more workable. Many of our previous difficulties have arisen from the ambiguous and ill-considered wording of important clauses. Wearisome as is the task which lies before the Governors of considering almost word by word the provisions of a long and complicated Scheme, they will have their reward in the increased prosperity of the School and in the comparative lightness of the task they will bequeath to their successors. I respectfully call their attention to clauses 62 and 75.

Hoping you will not think that in making the following observations I am transgressing the limits of my office, 20

I am, my Lords and Gentlemen,
Your obedient servant,
FRED. W. WALKER.

Remarks on Clauses 39, 67 and 75 (Departments not Department).

The use of the words "Modern Department" in the singular is a survival from the Schemes of 1876 and 1879. The fact as approved by the Governors and sanctioned by the Commission is that the School has four Modern Departments. First, the Science Classes; second, the Army Classes; third, the Special Mathematical Class; fourth, the Modern History Class. I suggest, therefore, that in the second paragraph of Clause 39 we should read instead of "a Classical 30
"School with a Modern Department, &c.," the words, "a Classical School with
"such Modern Departments as the Governors shall from time to time determine."

If this change is made in Clause 39, it involves a similar change in the last line but one of the first paragraph of Clause 67. In that clause I suggest that Modern History, to which the Governors have assigned a special Master, should be expressly mentioned among the Modern subjects.

The same alteration of "Department" into "Departments" should be made towards the end of Clause 75.

Remarks on Clauses 61 and 62 (on the admission of Capitation Scholars).

In these clauses it is provided that admission into the School of Capitation 40
Scholars should take place according to priority of registration, after the candidates

have passed a qualifying examination. When we remember that the cost to the Foundation of educating each scholar exceeds the School fee by £5. 10s., and that the Capitation Scholar has the use of the school buildings and grounds—the interest on the original cost of which comes to an additional grant to each scholar of £7—it is evident in effect that each Capitation Scholar receives from the Foundation a scholarship of £12. 10s. a year. It would be more in accordance with the principles recognised by the Commissioners, and universally admitted, that such scholarships should be given, not to the lucky prior applicant, but on the results of a competitive examination. But I should not appeal to principle if I
 10 did not foresee a serious danger in the practice of admission according to the priority of registration. It is impossible to bring home to the minds of Londoners the necessity of registration, and it is out of the question to try to do so in the case of strangers who are constantly migrating to London with sons whom they must educate. The few who by accident know the provisions of the Scheme have an unfair advantage. If this consideration is not held to possess sufficient weight, I have a stronger reason in reserve. Apart from two or three hundred parents who have learned by experience the necessity of registration, the only persons who are familiar with the rule are the masters of the few preparatory schools which teach especially with a view to entrance into St. Paul's, and hardly
 20 all of these ; in fact, the only man who rigorously insists on his scholars registering is Mr. James Bewsher, the Master of Colet Court. The consequence is that his boys secure for themselves a legal preference over others. For example, this Michaelmas I admitted from Colet Court 56 capitation scholars out of a total of 77. If Mr. Bewsher had 100 more boys in his school, which is a not improbable contingency, he would in effect monopolise St. Paul's for his own school. This will one day give rise to a scandal which some authority or other will be forced to remedy. If I am right, this can be done in no other way than by substituting competitive examination as the test for entrance.

Remarks on Clause 65 (on the time of Boys leaving School).

30 This clause as it stood in the earlier draft Scheme provoked much comment and hostility. In the second sentence the words "or half year" were by an oversight as it appears omitted, and this omission would have disqualified nearly half the candidates who usually stand for our exhibitions. In the present draft the words are restored, but the clause remains what it always was, the worst drafted clause in the whole Scheme. The Governors in order to get a workable rule out of it have been forced to place a highly artificial interpretation on the words, and they have decided that a boy who attains 19 years of age in the Michaelmas term must leave at Christmas, but that a boy who is 19 in Lent term, say in January, may stay to the end of July. In other language, the boy who is
 40 born in Michaelmas term may stay one term, but the boy who is born in Lent term may stay two terms. The result is a workable compromise, but cannot be upheld as a strict interpretation of the words. If I can trust my memory, the hostility of Mr. Lemon (L.C.C.) to the School arose out of a wrangle on the meaning of this clause. Some of the boys in the School have presented a memorial to the Governors praying for an alteration in the clause. I believe that

both their contention and their arguments are reasonable. In all the other School Schemes with which I am familiar, the corresponding clause is not only more intelligible but more considerate of the scholars' interests and of the well-being of the institution. I suggest that the sentence should run, "No boy or girl shall be allowed to remain in any school beyond the end of the school term in which he or she attains the age of 19 years without the consent of the Governors, but in no case beyond the end of the succeeding Midsummer terminal examination."

The whole difficulty, I believe, arises from the fact that the sentence is a survival from a time when the state of things was different from what it is now. It was written at a period when school times were calculated partly by half years and partly by terms, and neither of the words were perfectly understood in their technical sense. 10

Remarks on Clause 65 (on the Yearly Examination).

Here I would suggest some verbal alterations. The third sentence begins "The day of examination shall be fixed, &c." I see no occasion for the insertion of the sentence. It is no protection to the Head Master or Head Mistress, and the Governors may surely be trusted to do their duty with sufficient consideration. But if the sentence must stand, we should read "days" in the plural and not "day" in the singular. Our own examinations occupy more than a fortnight.

In the first sentence I urge that after the words "examination of the scholars" there should be inserted the words "or of such part of them as the Governors may think fit." Any genuine examination in a first grade school of 600 boys would be practically impossible. Inspection stands on a different footing, but that I do not understand to be contemplated by the Commissioners. The last amendment I would suggest is that after the first sentence there should be inserted the words "The yearly examination at St. Paul's School shall be called the apposition." For this change I can allege no reason but that of sentiment—a sentiment in which I believe the Governors share. It would be a pity if the historical names "Surmaster" and "Apposition" were blotted out of the School vocabulary. 20

Remarks on Clause 75 (on Scholarships).

30

From an educational point of view this is the most important clause in the whole Scheme, and it deserves serious and minute consideration. If I interpret it correctly, it abolishes the distinction the Governors have drawn between Senior Scholarships open to boys under 16, and Junior Scholarships open to boys under 14. In lieu of this distinction it divides the Scholarships into two classes, 1st, Classical Scholarships (102 in number), in which Greek is required; 2ndly, Modern Scholarships (51 in number), in which no Greek is required. The only qualification demanded in candidates for either class of Scholarships is they shall be under 16 years of age. Thus in each of the two classes there must be one and the same examination for all candidates without any further division into Seniors and Juniors. It seems clear that this is the right interpretation of the clause; for as regards the Modern Scholarships, no man of sense would think of examining the children of 11, 12, and 13, whom we have been in the habit of electing to the Junior Scholarships, in Mathematics and Experimental Science, which are the 40

principal subjects prescribed in the clause. I for one should dread the consequences of letting such youngsters loose in a laboratory. If this is the right meaning of the clause, as a schoolmaster I acquiesce in it without any reluctance. But I am bound to point out the effect it will have. Under its operation few boys will be elected under the age of 15, and practically none under 14, whereas at present 13 is the average age of election. In other words, the average duration of a Scholarship is at present nearly six years ; under the proposed clause it will be reduced by at least a year and a half. It is obvious that this change will in reality disqualify all candidates except the children of parents who can afford to
 10 pay for their education up to the age of 15. If the clause is generally understood to have this effect, it will create dismay in this neighbourhood, and provoke not unnatural discontent.

If the Commissioners would consent to allow the existing distinction between Senior and Junior Scholars, they could with ease secure the recognition of modern subjects without inflicting any serious injury in the interests of the poorer parents. They should in my judgment divide the 153 Foundation Scholarships into two classes, Senior and Junior. The Senior Scholarships should be 102 in number, *i.e.*, two-thirds of the whole, and be open to candidates under 16. The Junior Scholarships should be 51 in number, *i.e.*, one-third of the whole, and
 20 open to candidates under 14. One-third of the Senior Scholarships, *i.e.*, 34 of them, should be modern, *i.e.*, award for excellence in such modern subject or subjects as the Governors should from time to time determine, and Greek should not be required. The remaining two-thirds of the Senior Scholarships, *i.e.*, 68 of them, should be awarded on a general examination in which classics should occupy a prominent place. The Junior Scholarships (51 in number) should be awarded on a general examination in all subjects usually taught in first grade schools to boys under 14, under such regulations as the Governors shall determine from time to time.

Remarks on Clause 85 (on Pensions).

30 The Masters of St. Paul's have presented a memorial to the Governors, praying for the institution of a pension fund, to which the Masters themselves should make some contribution. This is a question of growing importance. Within a little time the various Governing Bodies under the Scheme will have in their service not fewer than 70 or 80 teachers, and every year or so an application for a pension will have to be considered. The institution of such a pension fund as the Masters have suggested seems to be regarded by schools of all grades as the best means of dealing with this difficult problem, and I am told that it has in several cases received the sanction of the Charity Commissioners.

December 18th, 1893.

THE FURTHER MEMORIAL OF FORMER SCHOLARS OF ST. PAUL'S SCHOOL.

To the Charity Commissioners for England and Wales.

GENTLEMEN,—On behalf of the former scholars of St. Paul's School, from whom we had the honour in May last of submitting to you some observations upon the Draft Scheme for the administration of Dean Colet's Foundation, we desire to thank you for the courteous consideration which you have given to our Memorial, and for the opportunity which you have offered to us of expressing our opinion upon the alterations which it is now proposed to make in that Scheme.

The alterations to which we refer are those described in the official letter 10 addressed to the Clerk of the Mercers' Company, which was published in *The Times* newspaper on the 3rd August last, and to which you have done us the favour to invite our attention.

I.—AS REGARDS THE INCOME ASSIGNED TO THE SCHOOL. SECTION 15.

We thankfully acknowledge the amendment adopted by the Commissioners, that the annual sum of £8,000 set apart from Dean Colet's endowment for St. Paul's School shall be "clear and free from the cost of any structural repairs" to the school buildings.

But for the reasons given in our previous Memorial, we are not satisfied that this sum will prove adequate for the maintenance of the school in its present high 20 state of efficiency, and we still trust that your honourable Board will consent to assign a larger income to the school from the trust fund of the endowment.

In any case, we submit that the sum so assigned should be clear and free from the cost, not merely of "structural repairs," but also of putting and keeping the existing buildings in a thoroughly good and sufficient state of repair.

We would beg further to observe that, under the proposed new regulations with respect to Scholarships and Exhibitions, a portion of this sum of £8,000 may, and (no doubt) will, be diverted from the general purposes of the school to the augmentation of the Scholarship and Exhibition funds, and that to this extent the sum now available for such general purposes will be diminished. 20

II.—AS REGARDS THE AWARD AND EMOLUMENT OF THE SCHOLARSHIPS
TENABLE AT THE SCHOOL. SECTION 75.

We desire thankfully to recognise the important concession which has been made by your Board. We refer especially to the withdrawal of the enactment for establishing a privileged class of Scholars to be admitted upon a lower qualification.

We are glad to acknowledge that, in so far as the Scheme (as now proposed to be amended) requires that all elections to Scholarships shall be made upon the results of open competition, and insures at the same time that the legal 40 status and honorary rank in the School shall be one and the same for all Scholars alike, it has obviated the strong objections which we thought it our duty to submit with regard to the provisions of the Draft Scheme.

On one point, however, we still remain in doubt. On comparing the Draft

Scheme with the Official Letter referred to above, it does not appear to us to be distinctly enacted that the privilege of entire exemption from Tuition Fees shall be retained to the 153 Scholars.

In our former memorial we ventured to represent to you, as a fact not altogether immaterial, that "in the minds of Paulines a very strong sentiment attaches to the maintenance, unimpaired, of these 153 original Foundation Scholarships." But the question is very far from being merely a matter of sentiment.

10 It will, we are convinced, seriously impair the use and value of these Scholarships, not only as a help to the Scholars themselves, but as a means of maintaining the standard of education in the School, if the emolument attached to them is uncertain and variable, and subject to the fluctuations in financial policy or educational views of a body whose members are frequently changing.

We, therefore, earnestly hope that in the Scheme as finally sanctioned by you, any doubt as to the meaning of these provisions will be removed; and that all Foundation Scholars will be thereby definitely entitled to entire exemption from payment of Entrance and Tuition Fees.

III.—AS REGARDS THE AMOUNT APPROPRIATED FOR EXHIBITIONS. SECTION 79.

20 The provisions authorising Exhibitions, other than those on the Camden Foundation, to be granted out of the general revenue of the School, also claim our thankful recognition.

We have, however, asked your attention to the incidental effect which this enactment will have, together with the similar one respecting the Scholarships in diminishing the Funds now available for the general purposes of the School.

IV.—AS REGARDS THE CONSTITUTION OF THE GOVERNING BODY. SECTION 17.

We approach this part of our subject with reluctance. But after careful consideration of the question from various points of view, we have come to the conclusion that it is our duty in the interest of St. Paul's School to express to you our decided objection to the proposal, now made for the first time, for vesting 30 the appointment of three Governors in the London County Council.

(a) We readily acknowledge that amongst the Members of the Council there are men of widely different political opinions, who, alike by their character, their attainments, and their interest in education, would be well fitted to take their place amongst the Governors of the School; but we are seriously apprehensive that even if men possessing such qualifications were invariably nominated, the conditions of their election and the exigencies of their position would render it impossible for them to divest themselves of a political character.

The introduction of the aims and methods of party politics into the administration of a great Public School cannot fail to produce the most serious 40 mischief; and the slightest risk of such a result should, in our opinion, be scrupulously avoided.

(b) But beyond this objection we would further submit that the London County Council (whatever may be the qualifications of its individual members) is not fitted or entitled, either by its constitution or by the purposes of its appointment, to intervene in the management of a great Educational Trust. If

it be thought desirable to introduce some new elements into the Governing Body, we respectfully submit that it would be far more for the interest of the School, and of sound and liberal education, if the precedent which has been set in other Schemes of your Honourable Board were followed in the case of St. Paul's, and the right to nominate certain Governors were vested in the Crown, in the Speaker of the House of Commons, or in other of the great Officers of State, or in some of the Learned and Scientific Societies.

(c) It has been suggested, we know, that the nomination of Governors by the London County Council is desirable, in order to safeguard the interest of London in St. Paul's School.

10

In this view we are unable to concur. The special interest which London undoubtedly possesses in Dean Colet's Foundation is already abundantly secured by the present constitution of the Board by the local position of St. Paul's School, and by the establishment (as now provided) of two new Schools from the endowment of the Trust. But we cannot shut out from our consideration the fact that St. Paul's School was originally founded, and has hitherto been administered during nearly four centuries, on no narrow basis of privilege, in favour of any one class or locality.

The benefits of Dean Colet's great Foundation were not intended, as you are aware, for London alone, but (in the words of the Founder) for "children 20
"of all nations and countries"; and we may mention that a large number of boys are at the present time attending the school from homes outside the area of administration of the London County Council.

For these reasons we submit that it is neither necessary nor appropriate that the right of nominating Governors of St. Paul's School should be vested in the London County Council; and further that such a provision would, in our opinion, be likely to prove injurious to the best interests of the School.

We have the honour to be, Gentlemen,

Your obedient Servants,

C. E. POLLOCK,
ALFRED J. CARVER,
RICHD. WHITTINGTON,
HARRY BODKIN POLAND,
FRED. JAS. HALLIDAY,
CECIL CLEMENTI SMITH,
WALTER J. LAWRENCE,
J. WEST RIDGEWAY.

30

JOHN SHEARMAN,

	Hon. Treasurer;	} OLD PAULINES CLUB.
GEORGE BATHURST LONG,		
	Hon. Secretary;	

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Dated the 18th December, 1893.

February 23rd, 1894.

RESOLUTIONS OF GOVERNORS OF ST. PAUL'S SCHOOL.

(a) That it is desirable to suspend for the present the proceedings connected with the passing of the new draft Scheme.

(b) That a letter be written to the Charity Commissioners urging the adoption of this course.

(c) That as a reason for such course it be stated that a Royal Commission is about to be appointed to consider the whole subject of intermediate and secondary education.

10 (d) That the Governors request the Charity Commissioners to sanction such modifications in the existing Scheme as may enable them to carry on St. Paul's School, during the period of suspension, substantially as at the present time.

Mercers' Hall,
London,
26th February, 1894.

SIR,

E { London.
46405 } St. Paul's School.

I am instructed by the Governors of St. Paul's School to transmit to you a copy of resolutions adopted by them with reference to the proposed draft Scheme.

In further explanation I am to say that the Governors have always desired to maintain for St. Paul's School a position of the highest educational rank, and the terms of the Scheme under which they are now acting indicate that the Schools, both for boys and for girls, shall possess this character.

In the judgment of the Governors, the provision of intermediate and secondary schools such as appear to be contemplated under the name of "Dean Colet's Schools" in the latest draft Scheme is not in accordance with the main object of the foundation; and may be more appropriately made by means of other endowments, or of the funds placed at the disposal of County Councils for technical and secondary education.

The Governors feel that the imminent appointment of a Royal Commission to make recommendations respecting secondary schools, and, by implication, respecting their relation to other schools both below and above them, furnishes a strong reason for pausing at present before entering upon the consideration of those provisions of the draft Scheme which are connected with the problem of intermediate education in London.

Meanwhile, since the unworkable character of clauses 53 and 55 of the existing Scheme has been demonstrated, and since the Commissioners have already shown their willingness to substitute for those clauses the new regulations embodied in clauses 39 and 75 of the latest draft Scheme, the Governors request that a short supplementary Scheme or order merely permitting for the present the development of the existing modern department on those lines may be made; and that the publication of a large Scheme dealing with the whole foundation may be deferred until the recommendations of the new Royal Commission on the whole subject of intermediate education shall have been made public.

I am, Sir,
Your obedient servant,
(Signed) JOHN WATNEY.

The SECRETARY,
Charity Commission,
Whitehall, S.W.

Mercers' Hall,
London :
16 March, 1894.

SIR, ST. PAUL'S SCHOOL, LONDON.

I am desired by the Court of Assistants of the Mercers' Company to address you with reference to a letter which I wrote to you as Clerk to the Governors of St. Paul's School on the 26th February.

10 In that letter the Governors stated that the then imminent appointment of a Royal Commission to make recommendations respecting secondary schools furnished a strong reason for pausing before entering on the consideration of those provisions of the draft Scheme which were connected with the problem of secondary education in London. That Commission has now been appointed, and it appears to the Court of Assistants that the reasons stated by the Governors make it desirable, and in fact necessary in the interests of the School, that the draft Scheme for the management of the Foundation now under consideration should be withdrawn.

20 The Court of Assistants are aware that the Commissioners can make an Order or Scheme if requested by the Governors or the Company under their ordinary jurisdiction rectifying all matters requiring amendment under the existing Scheme of 1879, and as these matters were mentioned in the letter of the Governors to the Commissioners referred to above, the Court do not think it necessary to enlarge upon them.

The Court of Assistants have, so far as their functions enabled them, always supported the Governors in dealing with the management of the School, and, like the Governors, have always been averse to greater alterations in the Scheme of 1879 than were necessary under the altered circumstances of St. Paul's School to make that Scheme work smoothly and harmoniously, and they therefore desire that the alterations should be limited to those matters referred to by the Governors.

30 The Court trusts that the Appeal made to the Commissioners by the Governors will not be in vain, and will to the utmost of their power co-operate with them in carrying out the objects which the Governors have in view.

I am, Sir,

Your obedient servant,
(Signed) JOHN WATNEY.

The SECRETARY,
Charity Commission,
Whitehall, S.W.

Charity Commission,
25th April, 1894.

E { County—London.
43405 { St. Paul's School.

SIR,

Your letter dated the 16th ultimo has had the careful consideration of the Commissioners, and from the enclosed copy of a letter to the Governors of St. Paul's School of even date herewith it will be seen that the Commissioners have been able to meet in substance the views expressed by the Governors and by the Company in favour of a postponement of those provisions of the Draft Scheme 10 which directed the establishment of new and intermediate Schools, but that as regards the form of procedure for the settlement of the difficulties affecting St. Paul's School itself they consider that the Scheme should go forward under the Endowed Schools Acts rather than that the risk of fresh controversy should be incurred by a new start being made with a Scheme under the Charitable Trusts Acts.

The Commissioners appreciate the desire of the Company for thorough co-operation in the matter between those concerned, and they trust that the Company will recognise in the course which has been adopted the desire of the Commissioners to act as far as possible in concert with the Company and with the 20 Governors.

I am, Sir,

Your obedient Servant,

J. E. WHITE.

JOHN WATNEY, Esq.,
Mercers' Hall, E.C.

[Enclosure to last Letter.]

Charity Commission,
25th April, 1894.E { County—London.
46405 { St. Paul's School.

SIR,

Your letter dated the 26th February last has had the careful consideration of the Charity Commissioners, and by their direction I am to communicate to you the result.

10 Although the Commissioners are of opinion that the Scheme might well have gone forward in its entirety, they nevertheless, in deference to the considerations affecting intermediate education which the Governors have put forward, are willing to postpone for a time the settlement of the purposes to which the surplus revenues of the Foundation shall be applied.

20 The suggestion that such provisions of the Scheme of 1879 as have been found unworkable should be amended by a short supplementary Scheme or Order, and, as the Commissioners understand to be intended, under the provisions of the Charitable Trusts Acts, is open to grave objection for reasons probably not present to the minds of the Governors. Not only would the process be difficult and the result cumbrous and unsatisfactory, but the necessary publication of fresh notices would inevitably be followed by a renewal of discussions which in the interests of St. Paul's School should be abridged, and by the revival of proposals for other and wider amendments, which the Commissioners could scarcely refuse to entertain, including those relating to the government of St. Paul's School itself, to which the Commissioners are already publicly committed.

30 At the same time the provisions relating to the organisation of St Paul's School appear to be no longer a matter of difference, and the Commissioners therefore consider the proper course to be that the Scheme, limited to St. Paul's School and its defined endowment, should be now carried forward on the basis of the Draft which the Governors have before them. In consideration, however, of representations and explanations which they have received since that draft was forwarded, the Commissioners have decided to retain the three Wardens of the Company as *ex-officio* Governors of St. Paul's School ; and, moreover, the London County Council having already forwarded to this Office the names of three persons whom they desire to appoint as Governors, the Commissioners have inserted these names, which are those of Sir John Lubbock, Lord Monkswell, and Mr. W. G. Lemon, in the Scheme itself.

40 Having thus, as they conceive, brought the Scheme as nearly as may be into conformity with the views of the Governors, the Commissioners have approved it, and directed that it be submitted to the Committee of Council on Education, under section 36 of the Endowed Schools Act, 1869. Copies will be sent for the information of the Governors as soon as received from the printers.

I am, Sir,

Your obedient Servant,
&c. &c.J. WATNEY, Esq.,
Mercers' Hall, E.C.

[SCHEME OF APRIL, 1894.]

Submitted to the Committee of Council on Education.

County—LONDON.

Endowment—St. Paul's School.

No. 765.

E

46405

Received Charity
Commission,
26th April, 1894.

CHARITY COMMISSION.

10

In the Matter of the Foundation called or known as ST. PAUL'S SCHOOL, in London, founded by Dean Colet, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March 1876, as altered by a Scheme of the Charity Commissioners of the 4th July 1879; and

In the Matter of the Endowed Schools Acts, 1869, 1873, and 1874.

SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION.

PART I.—GENERAL.

Object.

1. The object of the above-named Foundation shall be to supply liberal education for boys and girls by means of Schools in or near London.

Repeal.

2. From the date of this Scheme all the particulars which by the Endowed Schools Acts, 1869, 1873, and 1874 are capable of being hereby repealed and abrogated shall, so far as relates to the management of the Foundation, but not to the vesting of the property thereof in the Wardens and Commonalty of the mystery of Mercers in the city of London, hereinafter called the Company, be repealed and abrogated.

Jurisdiction of
visitor.

3. From the date of this Scheme all rights and powers (if any) formerly reserved or belonging to, or claimed or capable of being exercised by, any body corporate, persons or person, other than Her Majesty, as visitors or visitor of the Foundation, and transferred to Her Majesty, and also any like rights and powers vested in Her Majesty on the 2nd August 1869, shall be exercised only through and by the Charity Commissioners for England and Wales.

4. From the date of this Scheme all jurisdiction of the Ordinary relating to or arising from the licensing of any master in any School of the Foundation shall be abolished. Jurisdiction of Ordinary.

5. Nothing herein contained shall affect—

Saving of rights
and interests.

(1.) The tenure by any person of any Scholarship, or of any Exhibition payable out of the endowment of the Foundation, which was held by him, or had been awarded to him, on or before the date of this Scheme :

(2.) Such interest as any teacher or officer of the Foundation appointed to his office before the 25th June 1868 may have in such office or as any person may have in any pension or compensation allowance payable out of the endowment of the Foundation and granted before the 25th June 1868.

6. Religious opinions or attendance or non-attendance at any particular form of religious worship shall not in any way affect the qualification of any person for being one of a Governing Body under this Scheme. Religious opinions.

7. No member of a Governing Body under this Scheme shall receive any emolument out of the income of the Foundation. No Governor to receive emolument.

PART II.—MANAGEMENT OF PROPERTY.

8. Save as hereinafter mentioned all the estates and property of the Foundation shall continue to be and shall be vested in the Company, and all such of the said estates and property as shall not for the time being be used or occupied for the purposes of the School of the Foundation shall continue to be managed by the Company, or by their Court of Assistants, or by their officers acting under their orders, according to the general law applicable to the management of property by trustees of charitable foundations. Any money arising from the sale of timber or from any mines or minerals belonging to the Foundation shall be treated as capital, and invested in any such securities as may from time to time be authorised by any Act of Parliament for the investment of trust funds, except in any special cases in which the Company may be authorised by the Charity Commissioners to apply such money or any part thereof as income. Management of property.

9. All capital sums which, under the provisions of this Scheme, the Company may be required to raise shall be raised by them by sale or mortgage of the real or personal property of the Foundation, or by both those means, or otherwise, on such terms and subject to such conditions as may be sanctioned or prescribed by the Charity Commissioners in each case. Raising money.

10. The Company shall make such arrangements as they think fit for the custody of all muniments, title deeds, and other documents belonging to the estates and property of the Foundation, for deposit of money, for drawing cheques, and for the appointment and payment of a Clerk and of other officers for the conduct of the business relating to the estates and property of the Foundation. Conduct of business.

11. The accounts of the estates and property of the Foundation shall be made up and balanced to the 31st day of December in every year. The accounts shall be signed by the Master or one of the Wardens of the Company within two calendar months after the day to which they are made up. As soon as practicable after the accounts are so signed they shall be audited. Accounts.

Audit.

12. With respect to the audit of the said accounts, the following provisions shall have effect :—

- (1.) The auditor in each year shall be appointed by the Lord Mayor of London and shall receive such remuneration as the Company, subject to the approval of the Charity Commissioners, may direct ; and such remuneration, together with the expenses of or incident to the audit, shall be paid by the Company out of the income of the Foundation.
- (2.) The audit shall be held at the office of the Company, or at some other convenient place to be named by them, and at a time to be fixed by the auditor, but to be as soon as possible after the accounts are 10 signed.
- (3.) The auditor, at least 14 days before holding the audit, shall serve on the Company, and on the Governing Body of St. Paul's School hereinafter constituted under this Scheme, notice of the time and place of holding the audit.
- (4.) The Clerk of the Company, or some person authorised by them, shall attend the audit, and produce to the auditor all books, bills, vouchers, and documents relating to the accounts.
- (5.) Any member of the Company, or of the said Governing Body, may be present at the audit, and object to the accounts. 20
- (6.) The auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the accounts, as in the case of an audit of the accounts of the School Board for London, and the said Governing Body or any person aggrieved by the decision of the auditor shall have a right of appeal to the Charity Commissioners, whose decision shall be final.
- (7.) Subject to the provisions of this clause, the Charity Commissioners may from time to time make such regulations as may in their opinion be necessary respecting the form of keeping the accounts and the audit thereof. 30

When the auditor has completed the audit, he shall sign the balance sheet.

Statement of
accounts.

13. The Company shall in each year cause a statement of accounts, showing their receipts and expenditure in respect of the Foundation for the preceding year, to be printed in such form, and with such particulars, as may be from time to time prescribed by the Charity Commissioners, and shall send the same within 30 days after the balance sheet is signed by the auditor to the Governing Body of St. Paul's School hereinafter constituted under this Scheme, and to the Charity Commissioners, and publish an advertisement thereof in two London daily newspapers, and cause copies to be sold to all applicants at a price not exceeding 3*d.* for each copy. 40

School buildings.

14. The present and any future buildings, with their site and playgrounds used for the purposes of the School of the Foundation, shall, so long as they continue to be so used, be managed by the Governing Body of St. Paul's School hereinafter constituted under this Scheme without interruption by the Company.

Application of
income.

15. The Company may, with the sanction of the Charity Commissioners, from time to time make such donations and annual allowances or subscriptions out

of the income of the estates and property of the Foundation as they may think fit, having regard to the income derived from the estates in respect of which donations or subscriptions are proposed to be made. After paying such donations or subscriptions, and after defraying the expenses of management incurred under the provisions of Parts I. and II. of this Scheme, including a reasonable sum for providing the yearly Apposition dinner, the Company shall pay out of the net income of the Foundation to the Governing Body of St. Paul's School hereinafter constituted under this Scheme, such sums as they shall require, according to the provisions of this Scheme, for the purposes of that School, but so that the amount of income so paid shall not exceed in any one year the sum of 8,000*l.* exclusive of the cost of permanent structural improvements in the buildings of the School which may, with the sanction of the Charity Commissioners, be defrayed out of the general funds of the Foundation.

16. The residue of the income of the Foundation shall be invested in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, and shall be accumulated with a view to a further Scheme. Residue.

PART III.—GOVERNING BODY OF ST. PAUL'S SCHOOL.

17. The Governing Body of St. Paul's School (hereinafter called the Governors) shall consist of *ex-officio* Governors and elected Governors. The Governing Body of St. Paul's School.

20 *ex-officio* Governors shall be—
The Master and three Wardens of the Company for the time being. The elected Governors shall be appointed as follows :—

Nine by the Court of Assistants of the Company.

Three by the Hebdomadal Council of the University of Oxford.

Three by the Council of the Senate of the University of Cambridge.

Three by the Senate of the University of London.

Three by the London County Council.

30 The persons in office at the date of this Scheme as Governors of the Foundation appointed by any of the said electing bodies shall be entitled to remain in office under this Scheme each for the remainder only of the term for which he was appointed.

The following persons shall be reckoned as the Governors appointed in the first instance by the London County Council :—

The Right Honourable Robert Baron Monkswell ;

The Right Honourable Sir John Lubbock, Baronet ; and

William George Lemon, Barrister-at-Law.

18. Every Governor, other than the Master and Wardens of the Company, shall be appointed to hold office for five years and then retire. If during his term of office any Governor, other than the Master and Wardens of the Company, becomes bankrupt or incapacitated to act, or expresses to the Governors in writing his wish to retire, or fails for the space of one year to attend any meeting, the Governors shall, after notice to such Governor at his last known place of residence in England, cause a record of the fact to be entered in their books, and notify the same to the Body by whom he was appointed ; and upon such record being entered the Governor to whom it applies shall cease to be a

Term and vacation of office.

Governor, and thereupon, or upon the death of any Governor, other than the Master or any of the Wardens of the Company, the proper Body shall proceed to appoint a successor to the vacant place. A Governor vacating office by retirement or non-attendance only shall not be thereby disqualified for re-appointment.

Teachers not to
be Governors.
Acceptance of
office.

19. No Teacher in the School of the Foundation may be a Governor.

20. Every Governor shall, at or before the first meeting he attends in that character on his first or any subsequent appointment, sign a memorandum declaring his acceptance of the office of Governor, and his willingness to do his duty as such, and to act in the trusts of this Scheme ; and until he has 10 signed such a declaration he shall not be entitled to act.

Meetings of
Governors.

21. The Governors shall from time to time summon and hold meetings in some convenient place to be fixed by themselves as often as may be found necessary and at least twice in each year, on days to be appointed by themselves.

Chairman.

22. The Governors shall, at their first meeting in every year, appoint one of their number to be their Chairman for the year, and shall make regulations for supplying the place of the Chairman in case of his death, resignation, or absence.

Quorum.

23. A quorum shall be constituted whenever seven Governors are present, and any such quorum may act notwithstanding a vacancy or vacancies in the whole number of Governors. Whenever any decision is made in favour of 20 which less than a majority of the Governors for the time being entitled to act have voted, it shall be competent to any two Governors, within seven days from the day of the decision, to demand that the decision shall be once reconsidered at a special meeting, to be held at an interval of not less than 14 and not more than 21 days after the meeting at which such decision was made.

Special meetings.

24. The Chairman or any two Governors may at any time summon a special meeting for any cause that seems to him or them sufficient.

Notice.

25. All special meetings shall be convened by notice in writing to the Governors, specifying the object of the meeting. It shall be the duty of the Clerk to the Governors to give such notice when required by the Chairman or any 30 Governors having a right to summon such a meeting.

Voting.

26. Save as herein otherwise provided, all matters and questions shall be determined by the votes of the majority of the Governors present at any meeting ; and, in case of equality of votes, the Chairman of the meeting shall have a second or casting vote.

Adjournment of
meetings.

27. If at any meeting there is not a sufficient number of Governors present to constitute a quorum, or if the business at any meeting is not fully completed, the Governors present may adjourn the meeting to a subsequent day, of which notice shall be given to all the Governors.

Books.

28. A minute book and proper books of account shall be provided by the 40 Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for the purpose.

Minutes.

29. Minutes of all proceedings of the Governors shall be entered in the minute book and duly signed by the Chairman of the meeting. In the same book shall be recorded the entry into office of every new Governor, and the names of all the Governors present at each meeting, whether a quorum is constituted or not.

30. Full accounts shall be kept of the receipts and expenditure of the Governors, and such accounts shall be stated for each year, and examined and passed annually at some meeting within the first two months of the ensuing year, and signed by the Chairman of the meeting. Accounts.

31. The Governors shall in the first quarter of each year cause abstracts of the accounts for the preceding year to be prepared in such form as shall be prescribed by the Charity Commissioners. The Governors shall at the same time and in the same manner cause annual statements of the progress of the School to be prepared. Such abstracts of accounts and such statements for the past year they shall cause to be printed together and published forthwith, and shall advertise such publication in at least two London daily newspapers, and sell copies of the whole set of abstracts and statements so published at such price as they shall think fit, not exceeding 6*d.* for each copy, to all applicants. Publication of abstracts and reports.

32. The Governors shall make arrangements for the custody of all documents, for deposit of money, for drawing cheques, and for the appointment of a Clerk for the conduct of their business. Custody of documents and appointment of Clerk.

33. The property of the Foundation, so far as the management thereof is under the provisions of this Scheme vested in the Governors, shall be managed by them or by their officers acting under their orders, according to the general law applicable to the management of property by trustees of charitable foundations. Management.

34. In order to raise any capital sum which the Governors may from time to time be authorised to expend under the provisions of this Scheme, the Governors may serve their precept on the Company requiring them to raise the same in manner herein-before provided, and the Company shall forthwith proceed to raise and pay the same to the Governors accordingly. If any doubt arises as to the validity of any precept, the Company or the Governors may refer the question to the Charity Commissioners, whose decision shall be final. Precept for raising money.

PART IV.—ST. PAUL'S SCHOOL.

35. The present School shall be maintained in the present buildings as a Classical School with a Modern Department, and, if the Governors think fit, with other Departments; but any such Department or Departments shall be part of the School, and shall be under the sole supervision and control of the High Master as hereinafter provided. It shall be a School for boys as day scholars, but the Governors shall have power to admit boys boarding in such of the houses of Masters, or in such other houses, as may from time to time be approved by the Governors. School buildings.

36. There shall be a Head Master of the School, who shall be called the High Master. He shall be a graduate of some University in the United Kingdom. Head Master.

37. No person shall be disqualified from being a Master in the School by reason only of his not being, or not intending to be, in Holy Orders. Holy Orders.

38. Subject to the provisions hereinafter contained, the Governors and the High Master shall make proper provision for religious instruction in the School; and such religious instruction shall be in accordance with the principles of the Church of England. Religious instruction.

Endowed Schools
Act, 1873, s. 11.

39. No alteration in any regulations made by the Governors respecting the religious instruction given in the School shall take effect until the expiration of not less than one year after notice of the making of the alteration is given.

Endowed Schools
Act, 1869, ss. 15
and 16.

40. The parent or guardian of, or person liable to maintain or having the actual custody of, any day scholar in the School may claim by notice in writing addressed to the High Master the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly; and a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantages or emoluments in the School or out of any endowment affected by this Scheme to which he would otherwise have been entitled. 10

If the parent or guardian of, or person liable to maintain or having the actual custody of, any scholar who is about to attend the School, and who but for this clause could only be admitted as a boarder, desires the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, but the persons in charge of the boarding houses of the School are not willing to allow such exemption, then it shall be the duty of the Governors to make proper provisions for enabling the scholar to attend the School, and have such exemption as a day scholar, without being deprived of any advantage or emolument to which he would otherwise have been entitled. 20

If any Teacher in the course of other lessons at which any scholar exempted under this clause is in accordance with the ordinary rules of the School present teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as provided by this clause, the Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of. 30

Appointment of
High Master.

41. The present High Master of St. Paul's School, Mr. Frederick William Walker, shall, if willing, continue to hold the office of High Master of the same School under this Scheme. Every High Master hereafter to be appointed shall be appointed by the Governors. Every such appointment shall be made at a meeting to be called for the purpose, as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers, and by such other methods as they may think fit.

Dismissal without
assigning cause.

42. The Governors may dismiss the High Master without assigning cause after six calendar months' written notice, given in pursuance of a resolution, passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter. 40

Dismissal for
urgent cause.

43. For urgent cause the Governors may by a resolution passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter, suspend

the High Master from office, and in that case they shall appoint another special meeting to be held at an interval of not less than a fortnight after the former one, and may then, by a resolution, likewise passed by a majority of votes of the whole number of Governors for the time being entitled to act, wholly and finally dismiss him. Full notice and opportunity of defence at both meetings shall be given to the High Master.

44. Every High Master, previously to entering into office, shall be required to sign a declaration, to be entered in the minute book of the Governors, in the following form :—

Declaration by
High Master.

10 “ I, declare that I will always, to the best of my ability,
“ discharge the duties of High Master of St. Paul’s School during my tenure of
“ office, and that if I am removed by the Governors, according to the constitution
“ of the said School, I will acquiesce in such removal and will thereupon relinquish
“ all claim to the office and its future emoluments and deliver up to the Governors,
“ or as they direct, possession of all their property then in my possession or
“ occupation.”

45. The High Master shall dwell in the residence (if any) assigned for him. The High Master shall have the occupation and use of such residence, and of any other property of the Foundation of which he may become occupant, in respect
20 of his official character and duties, and not as tenant; and shall, if removed from office, thereupon deliver up possession of such residence and other property to the Governors or as they may direct. He shall not, except with permission of the Governors, allow any person to occupy his official residence or any part thereof.

Occupation of
trust property by
High Master.

46. The High Master shall give personal attention to the duties of the School in his charge. The High Master shall not hold any office or appointment which, in the opinion of the Governors, may interfere with the proper performance of his duties under the trusts of this Scheme, nor shall he hold any benefice having the cure of souls.

Personal attention
of High Master.

47. No Teacher in the School shall receive or demand from any scholar or
30 from any person whomsoever on behalf of any scholar any gratuity, or payment, other than such payments as are prescribed or authorised by this Scheme.

No gratuities to
Teachers.

48. Within the limits fixed by this Scheme the Governors shall prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the scholars, and the number of school hours in each week, and of holidays to be given in each term. They shall take general supervision of the sanitary condition of all the school buildings and arrangements. They shall from time to time determine what number of Assistant Masters or Teachers shall be employed in the School. They shall every year assign to the School the amount
40 to be paid out of the income thereof for the salaries of the teaching staff, and for the provision of a proper plant or apparatus for carrying on the instruction given in the School.

Jurisdiction of
Governors over
scholastic arrange-
ments.

49. Before acting under the last preceding clause the Governors shall in all cases consult the High Master in such a manner as to give him full opportunity for the expression of his views.

Governors to con-
sult High Master.

Jurisdiction of
High Master.

50. Subject to the rules prescribed by or under the authority of this Scheme, the High Master shall have under his control the method of teaching, the arrangements of classes and school hours, and generally the whole internal organisation, management, and discipline of the School, and shall have authority over all scholars attending the same in all places and at all times during the school terms : Provided that if the High Master expels a scholar from the School he shall forthwith make a full report of the case in writing to the Governors.

Appointment and
removal of
Assistant Teachers.

51. The High Master shall have the sole power of appointing and of dismissing all Assistant Teachers in the School, but shall forthwith notify every appointment in writing to the Governors. The High Master shall determine, 10 subject to the approval of the Governors, in what manner the sum assigned by the Governors to the School for Assistant Teachers and for plant or apparatus shall be distributed. The Governors shall pay the sum assigned either through the hands of the High Master or directly as they think best.

High Master
may submit
proposals.

52. The High Master may from time to time submit proposals to the Governors for making or altering regulations as to any matters within his province, and the Governors shall consider such proposals and decide upon them.

Income of High
Master.

53. The High Master shall receive a fixed stipend of 300*l.* a year. He shall also be entitled to receive a further or capitation payment calculated on such a scale, uniform or graduated, and at such a rate as may from time to time be fixed 20 by the Governors, being not less than 2*l.* nor more than 5*l.* a year for each Scholar attending the School, provided that, when the number of scholars exceeds 300, the payment for each scholar in excess of that number shall be 2*l.* yearly. All payments under this clause shall be made terminally or quarterly, as the Governors shall think fit.

To whom School
is open.

54. Subject to the regulations made by or under the authority of this Scheme the School and all its advantages shall be open to all boys who are of good character and of sufficient bodily health, and who are residing with their parents, guardians, or near relations within degrees of kindred to be fixed by the Governors, or in exceptional cases with such other persons as the Governors may approve, or 30 who are boarders under the provisions of this Scheme.

Mode of admission.

55. Applications for admission to the School shall be made to some person appointed by the Governors according to a printed form to be by them approved and delivered to all applicants for admission.

Register of
applications.

56. A register shall be kept of all applications showing the date at which every application is made for the admission of a scholar, the date of admission, withdrawal, or rejection, the cause of rejection, and the age of the candidate at the date of the application : Provided that every person requiring an application to be registered shall pay such fee as the Governors may fix, not exceeding 10*s.*

Entrance
examination.

57. Every candidate for admission into the School shall be examined by or 40 under the direction of the High Master, who shall appoint convenient times for that purpose, and give reasonable notice thereof in writing to the parents or guardians of those whose turn is approaching. No scholar shall be admitted to the School except after passing such examination. Those who are found fit shall, if there is room for them, be admitted in order according to the dates of their application : Provided nevertheless, that each Governor shall have the privilege of nominating in every year one candidate for admission into the School, and

every candidate so nominated, if found fit and otherwise admissible, shall be entitled to priority of admission over all candidates not so nominated.

58. Except as is herein otherwise expressly provided, each scholar shall pay such entrance and tuition fees as the Governors shall fix from time to time, provided that no such entrance fee shall be more than 5*l.* and no such tuition fee shall be less than 20*l.* or more than 30*l.* a year. No preference shall be given to any scholar in respect of such fees on account of his place of birth or residence. No extras of any kind shall be allowed without the sanction of the Governors and written consent on behalf of the scholar concerned.

Entrance and
tuition fees.

10 59. All payments for entrance and tuition shall be made in advance in such manner and to such person as the Governors shall from time to time appoint for the purpose, and shall be accounted for by the person receiving them to the Governors, and treated by them as part of the income of the Foundation applicable to the benefit of the School.

Payments to be
made in advance.

60. The Governors shall make regulations from time to time for fixing the age of admission to the School. No scholar shall be allowed to remain in the School beyond the end of the school term or half year in which he attains the age of 19 years. The High Master shall be at liberty to make regulations for the withdrawal of scholars in cases where from idleness or incapacity to profit by the instruction given they are materially below the standard of position and attainment proper for their age.

Ages of scholars.

61. There shall be once in every year an examination of the scholars by an Examiner or Examiners, or by an Examining Body, appointed for that purpose by the Governors, and paid by them, but otherwise unconnected with the School. In any year the Charity Commissioners may by an Order direct that the Examiner or Examiners shall for that year be appointed in any other manner, and the Examiner or Examiners shall for that year be appointed in the manner so directed. The day of examination shall be fixed by the Governors after consulting the High Master. The Examiner or Examiners shall make a report in writing to the
30 Governors on the proficiency of the scholars and on the position of the School as regards instruction and discipline, as shown by the results of the examination. The Governors shall communicate the report to the High Master, and shall send a copy of it to the Charity Commissioners.

Annual
examination.

62. The High Master shall make an annual report in writing to the Governors on the general condition of the School, and on any special occurrences during the year. He may also mention the names of any scholars who in his judgment are worthy of praise or substantial reward, having regard both to proficiency and to conduct.

Annual Report of
High Master.

63. The examination for admission to the School shall be graduated
40 according to the age of the candidates, but it shall never fall below the following standard (that is to say) :—

Entrance
examination

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ;
The outlines of English History ; and
The elements of Latin Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

Subjects of
instruction.

64. The subjects of secular instruction in the School shall be as follows :—

English, Latin, and Greek languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
French and German ;
Drawing ;
Vocal Music ;
Drill and other physical exercises.

10

In the Modern Department special attention shall be directed to Mathematics, Modern Languages, and Experimental Science.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the High Master shall settle the arrangements and classification of instruction in the prescribed subjects.

PART V.—SCHOLARSHIPS AND EXHIBITIONS.

Scholarships.

65. There shall be 153 scholars on the Foundation in the School. The Foundation Scholarships shall be awarded according to the result of competitive examination to candidates not over the age of 16 years on the first day of the examination. The subjects of such examination and their relative value shall be considered and approved by the Governors, and as regards one third of the Scholarships special weight shall be attached to subjects proper to the Modern Department and Greek shall not be required. Holders of Scholarships may be granted exemption from the payment of the whole or any part of the tuition fees as the Governors think fit, and the Governors may award to any holder of a Scholarship, who in their opinion is fitted by his circumstances to receive such benefits, sums of money not exceeding 20*l.* in any one year to any one scholar.

Notice as to
Scholarships.

66. Reasonable notice by advertisement in the public newspapers shall be given of the dates and subjects of examination for all Scholarships open to candidates not attending the School and of the number to be awarded at such examination.

Regulations as to
Scholarships.

67. The Governors shall make regulations from time to time for determining the period of tenure of Scholarships. Every Scholarship shall be awarded by free and open competition and shall be liable to forfeiture on the order of the Governors in case the High Master reports that the holder is guilty of misconduct, is irregular in attendance, or fails to maintain a reasonable standard of proficiency ; and no such Scholarship shall be granted to any scholar already attending the School, if the High Master reports that such scholar is rendered undeserving of it by misconduct.

Campden
Exhibitions.

68. The Governors shall in each year employ the net income payable to them under the provisions of a Scheme to be made under the Endowed Schools Acts for the administration of Lord Campden's Exhibitions, or such portion thereof,

being as near as may be the sum of 1,000*l.*, as they deem expedient, together with such further sum as they think fit, not exceeding 1,000*l.*, in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated in the School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal or professional education to be approved in each case by the Governors.

69. All Exhibitions shall be tenable only for the purposes of education, general or professional. They shall be payable by instalments at such intervals as the Governors shall direct. If the holder of an Exhibition dies, his representatives shall be entitled only to the next ensuing payment of an instalment whenever payable. If the holder becomes a bankrupt, or is guilty of gross misconduct or idleness, or wilfully ceases to pursue his education, it shall be competent to the Governors to determine the Exhibition as from the last preceding payment of an instalment.

Exhibitions when
voidable.

70. Subject to the provisions of this Scheme, the Governors shall from time to time make regulations for determining the number, value, period, and conditions of award and tenure of all Exhibitions, and all other matters relating to such Exhibitions.

Particulars of
Exhibitions to be
settled by
Governors.

20 PART VI.—APPLICATION OF INCOME.

71. The Governors may from time to time, with the sanction of the Charity Commissioners, grant a pension or retiring allowance to any teacher or officer of the School; and every accruing instalment of any such pension or allowance shall be, until paid, a charge upon the income of the School.

Pensions.

72. After defraying the expenses of any legal claims which may be chargeable on the property of the School, and the cost of any ordinary repairs or improvements, the Governors shall employ the net income received by them under the provisions herein-before contained for the general purposes of the School in accordance with the provisions of this Scheme.

Other expenses.

73. If in any year there is any residue of the income of the School, the Governors may employ it in increasing the amount applicable to the maintenance of Assistant Teachers and of school plant or apparatus, in improving the accommodation of the school buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of the School. Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as unapplied surplus applicable exclusively to the School, and deposit in a bank; and whenever the sums so deposited rise to 500*l.* over and above a reasonable current balance, they shall invest the same in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, for the benefit of the School.

Residue.

Unapplied
surplus.

40 PART VII.—GENERAL.

74. The Company or the Governors may receive any additional donations or endowments for the general purposes of the Foundation or the School thereof. They may also receive donations or endowments for any special objects directed by the donors, provided that such objects are certified by the Charity

Further
endowments.

Commissioners to be for the general benefit of the Foundation or of the School thereof, not calculated to give privileges to any scholar without regard to merit, and not otherwise inconsistent with or calculated to impede the due working of the provisions of this Scheme.

Charity
Commissioners to
decide doubtful
questions.

75. Any question as to the construction of this Scheme, or as to the regularity or the validity of any acts done or about to be done under this Scheme, shall be determined conclusively by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

Charity
Commissioners to
make new Schemes.

76. The Charity Commissioners may from time to time, in the exercise of their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869, 1873, and 1874.

Scheme to be
printed and sold.

77. The Company shall cause this Scheme to be printed, and a copy to be given to every person who shall become a Governor, and to every Master and Teacher appointed to the School of the Foundation, and copies shall be sold at a reasonable price to all purchasers.

Date of Scheme.

78. The date of this Scheme shall be the day on which Her Majesty by Order in Council declares her approbation of it.

Charity Commission, 20
24th April 1894.

At a meeting of the Board held this day, at which there were present five Commissioners, of whom one was the Chief Commissioner, this Scheme was approved and directed to be submitted to the Committee of Council on Education.

D. R. FEARON,
Secretary.

[Enclosure to Letter 30th May, 1894 : John Watney to G. W. Kekewich, Secretary to Committee of Council on Education.]

ST. PAUL'S SCHOOL.

May 8th, 1894.

MY LORDS AND GENTLEMEN,

I am not an expert in finance, but since the New Scheme for the management of St. Paul's was transmitted to the Committee of Council on Education, representations have been made by several persons that the smallness of the sum allotted to St. Paul's out of the Foundation means disaster to the school.

10 It appears that the school expenditure, including rates, repairs, exhibitions, was :—

In 1891	...	...	...	...	...	...	£24,354
„ 1892	...	...	...	...	...	...	22,942
„ 1893	...	...	...	...	...	...	23,046

For the future if we assume the present number of 630 scholars to continue, which is at least a matter of doubt, to meet an average expenditure of £23,400 the Governors will receive—

	From tuition fees, &c.	...	...	...	...	£11,900
	„ the foundation	...	...	...	...	8,000
20	„ Lord Campden's estate	...	...	...	...	930
	Total	...	...	...	...	<u>£20,830</u>

Thus there will be a yearly deficit of over £2,500. But this deficit will be increased by two provisions of the new Scheme.

1st. The Governors are empowered, that is in effect directed, to pay sums of £20 a year to the poorer Foundation scholars. I estimate this will cost about £500 per annum.

2nd. As under the Scholarship clause the number of modern scholars will be largely increased, it will be difficult not to increase the number of Modern Exhibitions, or refuse to allot them the full sum of £1,000 contemplated in the
30 new Scheme. This item will entail an additional expense of £350 a year.

If we add these two additional outlays of £500 and £350 respectively to the existing expenditure of £23,400 we shall have a total expenditure of £24,250, to be met with an income of £20,830, and the deficit will amount to more than £3,000.

But even this sum, large as it is, does not represent the full amount of the deficiency if the new Scheme is to be carried out according to its meaning. It provides that the Governors may give pensions or retiring allowances to masters and servants of the school. The great majority of the masters (in fact, all but three) have been appointed since my own election, and most of them are still
40 comparatively young men, so that none of them have as yet applied for pensions; but as they get older hard cases will not unfrequently arise which the Governors will be almost forced to consider, thus increasing the burden on the school funds.

It seems that there are three ways of dealing with this difficulty. 1st. The Governors may, as they are empowered, charge the Foundation Scholars with fees. This is the method which I imagine the Charity Commissioners contemplate, but it is odious in itself, and contrary to what we all have regarded as the fundamental principle of the school.

3rd. The fees of the 477 Capitation Scholars might be raised from £24. 9s. to £30. This would give an increased income of £2,647, and do much to remove the difficulty. But no man of business would take this step till he was assured it would not materially lessen the numbers. The loss of fees of 100 boys would while the fixed expenses of rates, repairs, service, gas, &c. remain what they are, 10 prove absolutely ruinous.

4th. The only course that I can see is left is to reduce the Masters' salaries. The salaries of the four best paid masters, the High Master, Surmaster, third and fourth masters no doubt admit of reduction, but the Governors would only take steps to lower them under the pressure of necessity. The salaries of the assistants generally could not be reduced without injury to the efficiency of the school.

It may be said that the cost of rates and repairs will be decreased in the future. On the contrary, the rates will be higher. We barely escaped a betterment rate two years ago on account of the proposed Cromwell Road Bridge, but the question is only adjourned. Experience shows us that the cost of repairs remains much 20 the same year after year.

The truth is that in the altered conditions of the foundation, the buildings and grounds in West Kensington are a *damnosa hereditas*. The fixed expenses absorb from $\frac{5}{8}$ to $\frac{3}{4}$ of the income allotted to the School out of the Foundation, and the surplus that remains is inadequate to our needs.

I am, my Lords and Gentlemen,

Your obedient Servant,

FRED. W. WALKER.

Mercers' Hall, London,
May 22nd, 1894.

E { County—London.
46405 { St. Paul's School.

SIR,

I am instructed by the Governors of St. Paul's School to acknowledge the receipt of your letter of the 25th April, stating that the Charity Commissioners have approved a draft Scheme for the future management of St. Paul's School, and have directed it to be submitted to the Committee of Council on Education.

10 The Governors wish to observe that the action of the Commissioners in sending this draft Scheme direct to the Committee of Council has precluded them from making any remarks upon it to the Commissioners, and that this course appears to them to be not in accordance with custom.

The Governors desire to express in general terms their dissent from some parts of your letter under reply, and will, at the proper time, address the Committee of Council with the objections which they will think it necessary to make to the provisions of the New Scheme.

I am, Sir,

Your obedient Servant.

JOHN WATNEY.

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The SECRETARY,
Charity Commission,
Whitehall, S.W.

Mercers' Hall,
30th May, 1894.

ST. PAUL'S SCHOOL, LONDON, AND LORD CAMPDEN'S EXHIBITIONS.

SIR,

I am directed by the Governors of St. Paul's School to transmit to you for the information of the Lords of the Committee of Council on Education the following objections and suggestions with reference to draft schemes relating to the above Foundations recently submitted by the Charity Commissioners to the Committee of Council, and published by that Committee under the provisions of the Endowed Schools Acts.

The Governors beg leave to express their regret that the necessity has arisen for communicating with their Lordships, owing to the fact that the schemes in their present form have not, in accordance with what is believed to be the general practice, been submitted to the Governors, and they have therefore been unable to make representations on the subject to the Commission itself. The Governors are consequently compelled to address themselves to their Lordships.

In the first place, I am desired to say that the Governors regret that the Charity Commissioners have seen fit to omit from the draft Scheme for the management of St. Paul's School the provision for the School for girls which was contemplated by the Scheme of 1879, and which would have provided an education of the highest grade for not less than 400 girls. The Governors are of opinion that such a School would be a very valuable addition to the provision for the highest education of girls in London. In fact, it would be unique. The Governors wish to see this School occupy the same position for girls that St. Paul's School occupies for boys. It must be borne in mind that there is no school for girls with such a good endowment as this School would have, and therefore none that could give such advantages. The Governors have for some years past been desirous of establishing such a school under the existing Scheme, and have submitted a site to the Commissioners, which was not approved by them. They have since made enquiries for another site, and have found one which seems to them suitable for the purpose, and they were about to apply to the Commissioners for their sanction to purchase it. The Governors would further point out that although they have asked that the proposal of the Commissioners to establish a Girls' School inferior in its educational character and status should be postponed until the Royal Commission recently appointed should have made a report, they have not requested, and had no intention of requesting, the Commissioners to omit a provision for a Girls' School of the highest rank from the existing Scheme.

Turning to the proposed new Scheme for St. Paul's School, which is in this letter referred to as the draft Scheme, the Governors observe that the Commissioners

recd. 197.

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in Clause 15 propose that the Mercers' Company, out of the surplus income from the estate of Dean Colet, shall pay to the Governing Body of St. Paul's School a sum not exceeding £8,000 for the maintenance of that School, "exclusive of the cost of permanent structural improvements in the buildings of the School, which may, with the sanction of the Charity Commissioners, be defrayed out of the general funds of the Foundation." The Governors wish to point out that in the year 1878 they purchased, with the sanction of the Commissioners, about 16 acres of land at West Kensington for £41,000, on part of which they have expended, also with the sanction of the Commissioners, the sum of about £116,000 in erecting a school building with gymnasium, &c., and in laying out roads and playground, in all about £157,000. The permanent fixed charges in respect of the School for the year 1893 were as follows :—

In rates, taxes, and insurance	£2,015
In gas, water, coals, servants, and keeping up the school grounds	1,918
In repairs	1,672
In salary to clerk, printing, &c., and pension to a superannuated master	369
	<u>£5,974</u>

They also expended during the same year on charges which are liable to increase or reduction according to the number of boys in the School :—

In salaries of masters	£14,122
In school appliances, apparatus, &c.	623
In examination expenses, books, prizes, advertisements, &c. ...	733
And in exhibitions to boys leaving the School	1,588
	<u>£17,066</u>

These two sums of £5,974 and £17,066 make a total expenditure on the school during the year 1893 of £23,040.

The income derived from the fees payable by 627 scholars, exclusive of the 153 boys on the Foundation for the year 1893, was £11,881, and the income of Lord Campden's estate for the year was £930, leaving a sum to be provided out of the income of the Foundation of about £10,200. If £8,000 only is allowed to the Governors as an endowment, it follows that there will be a deficiency of income of £2,200, or taking the average of the last three years there will be a deficiency of £2,400.

The Governors are aware that the expenses of repairs of the School have been very heavy since it was built, owing mainly to the manner in which the buildings were erected, and while they regret that such expenses should have been incurred, they cannot conceal from themselves the fear that, in the near future, the expenditure on the buildings will greatly exceed the ordinary amount which might be expected to be incurred if such buildings had been satisfactorily erected in the first instance.

The Governors are of opinion that to fix a definite maximum to be devoted to the purposes of St. Paul's School out of the net income of Dean Colet's estate,

now nearly £18,000 per annum, and likely, as the Governors are informed, to increase within a short time, without regard to new demands in connection with the highest education, is on the face of it improvident. If the income of the School is limited as proposed by the Commissioners, the Governors must either raise the fees payable by the boys, other than the Foundation scholars, which in their opinion are already high enough, or they must reduce the salaries of the masters of the School, or resort to both methods of finding money for making up the deficiency, and moreover they must adopt one or other or both of these courses at once, and without regard to the interests of boys and masters now in the School.

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In connection with this matter the Governors desire to refer to the report made to them by Mr. Walker, the High Master of the School, of which a copy is forwarded with this letter, and with which they entirely concur, and to say that in their judgment the sum of £8,000 is not sufficient, even if the cost of all structural repairs, and not merely "permanent structural improvements," should be defrayed out of the surplus income of the foundation. The Governors would wish further to state that in year 1891 the rateable value of the School premises was raised from £4,367 to £5,745, and that the rates and taxes have increased from £1,404 in 1889 to £1,936 in 1893.

The Governors note that in Clause 17 of the draft Scheme the Charity Commissioners propose that in addition to the Governing Body formed by the Scheme of 1879, three Governors should be appointed by the London County Council, and that three gentlemen, who it is understood have been nominated by the London County Council, have been added by name in the Scheme. They believe that such addition is not required either by the interests of higher education or by any failure on the part of the Governors to fulfil the duties imposed on them by the Schemes of 1876 and 1879. The Governors desire, however, to be understood as not urging objections, on any personal grounds, to the gentlemen named in the Scheme.

The Governors notice that the second clause of Clause 40 in the Scheme is not included in the Schemes of 1876 and 1879, and they would point out that the second sub-section of the 19th section of the Endowed Schools Act of 1869 provides for the omission of the 16th section of the same Act, in the case of boarders in a School where by the express terms of the original instrument of foundation or of the statutes or regulations made by the founder, scholars educated in a school are required to learn or to be instructed according to the doctrines of any particular Church. They consider that this provision is wholly unnecessary and would practically prove superfluous, as the School is essentially a day school, and the Governors have no boarding-houses. Although some of the masters are permitted by the Governors to allow scholars to reside in their houses, this is a private arrangement, and boarders, as such, are not under the control of the Governors, and are not recognised in the Scheme.

The Governors desire that the title of the second master of the School, who has since its foundation been designated as the Sur-Master, should be retained in the new Scheme, and they think that it would be convenient if a clause to that effect were inserted in Clause 41.

The Governors submit that the words "of the Foundation" in the last line of the 59th clause should be omitted.

The Governors observe that, in Clause 60 of the Scheme, no scholar should be allowed to remain in the School beyond the end of the school term or half year in which he attains the age of 19 years. This is copied from Clause 66 of the Scheme of 1879, but it has been found to produce unexpected difficulties in the case of some candidates for leaving exhibitions. A representation, in which the Governors concurred, was made to the Charity Commissioners on the subject by the Parents' Committee of Paulines on the 23rd November, 1893. The Governors suggest
 10 that the sentence should run as follows, viz. : "No boy shall be allowed to remain
 " in St. Paul's School beyond the end of the school term in which he attains the age
 " of 19 years without the consent of the Governing Body, but in no case beyond the
 " end of the Summer term succeeding the day on which he attains the age of 19
 " years."

As regards Clause 61 of the Scheme the Governors object very strongly to that part of the clause which enables the Charity Commissioners by order in any year to direct that examiners of the School shall be appointed in any other manner than by themselves. The Governors are aware that it is stated to be the practice of the Charity Commissioners to introduce such a clause into all schemes for
 20 secondary schools, and that the object of the provision is to enable the Commissioners in the case of schools which are not regularly examined by public examining bodies to provide, if occasion should arise, that examination by such a public body should in any year take the place of the ordinary examination. The regular annual examination of St. Paul's School is conducted by examiners appointed by the Oxford and Cambridge Joint Board of Examiners, and the Governors object to an alteration which would transfer the responsibility of appointing examiners to the Commissioners. They cannot think that it is necessary or expedient, in the case of such a school as St. Paul's, that the system of examination should be interfered with in the manner suggested in the Scheme.

30 By the 65th clause of the Scheme it is intended to be provided that all the scholarships should be awarded according to the result of competitive examination to candidates not over the age of 16 years on the first day of the examination. It would appear therefore that the distinction between senior scholarships open to boys under 16 and junior scholarships open to boys under 14 is intended to be abolished by this clause, and, if this be so, the senior examination must be held for all candidates without any further division into seniors and juniors. Under its operation few boys will be elected under 15 and practically none under 14, whereas at present 13 is the average age of election ; in other words, while the average duration of a scholarship is at present nearly six years, under the proposed
 40 system it will be reduced by at least a year and a half, and it is obvious that this change will in reality disqualify all candidates except the children of parents who can afford to pay for their education up to the age of 15. The Governors would greatly prefer that the 76th clause of the Scheme of 1879 should be modified so as to apply to St. Paul's School. By that clause it is provided that one-third of the 153 scholarships should be only open to candidates between the ages of 12 and 14 years, whether attending the School or not, and should be awarded according to the result of competitive examination, and that the remaining two-thirds should

be awarded according to the result of competitive examination under such regulations as the Governors might make from time to time. They submit that the present system has worked exceedingly well, and would be very sorry to see this excellent provision interfered with.

As to the 65th clause of the Scheme the Governors desire further to say that there have always, from the foundation of St. Paul's School nearly 400 years ago, been 153 scholars in the School whose education has been entirely free, and they object very strongly to any provision which would enable them to compel any of such scholars to pay any part of such tuition fees as may be exacted from other boys in the School.

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The Governors further object to the provision enabling them to award to any holder of a scholarship any sum of money in addition to the benefits which he would receive by way of exemption from tuition fees. The Governors are of opinion that it will be very difficult for them to exercise proper discretion in the award of such sums of money, and that they must either make a grant to every applicant or must institute such an inquiry into the circumstances of the parent of every such applicant, as would be highly inquisitorial and would be practically impossible, and, besides, the Governors would have no means out of the limited endowment of the School from which these payments could be made.

As to the 68th clause, the Governors desire to point out that the income of Lord Campden's Estate is only about £930, and that as the endowment of such estate consists of tithes and Consols, the income therefrom will certainly diminish rather than increase, so that it will be impossible for the Governors to allot the sum of £1,000 per annum for exhibitions out of the income of that estate.

They would further point out that although power is given them to employ a further sum not exceeding £1,000 in giving exhibitions to boys leaving the school, it will be almost impossible for them to allot less than the full amount, and that as the exhibitions are given for a term of years, it will be difficult (without injustice to boys leaving the School at any particular time) to lessen the annual amount of exhibitions to be awarded. It will be remarked that the total maximum sum which may be awarded for exhibitions is £2,000, or nearly one-fourth of the total endowment of the School, with the addition to the income of Lord Campden's Estate, and the Governors submit that this would be impossible, if the provision of £8,000 for the endowment of St. Paul's School is maintained.

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While on this subject, the Governors would venture to submit with great confidence to their Lordships that it is not desirable in the interests of higher education that the sum to be allotted to St. Paul's School out of the income of the Foundation should be limited as in the proposed draft Scheme, but that while fixed sums out of the income of the Foundation should be allotted to other school or schools, the whole of the surplus income should be given to the Governors for the maintenance of the principal school.

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The Governors would also point out that whereas only £100 was paid in 1893 as a pension to a superannuated Master, the staff of Assistant Masters is five times as large as it was 15 years ago, and accordingly the allowances to be paid in the future to retired Masters will be materially increased in amount, under Clause 71 of the Scheme, and that such payments will still further trench upon

the small amount of endowment allotted to them from the income of the Foundation.

The Governors do not desire to make any suggestions with regard to the Scheme for the management of the Foundation of Lord Campden's Exhibitions.

In conclusion, the Governors would remark that they desire to await the publication of the report of the Commission on Secondary Education before any new scheme should be adopted. They also wish emphatically to express their opinion that, considering the great and growing demand for higher education, no part of the estates bequeathed by Dean Colet should be devoted to education other
 10 than that of the highest possible kind.

The Governors beg respectfully to request that the Lords of the Committee of Council may be pleased, either to amend the Scheme in the particulars to which attention is here called, or to remit it to the Charity Commissioners for further consideration.

I am, Sir,

Your obedient Servant,

JOHN WATNEY.

G. W. KEKEWICH, Esq., C.B.,

Secretary to the Committee of Council on Education.

Mercers' Hall,
1st June, 1894.

ST. PAUL'S SCHOOL AND LORD CAMPDEN'S EXHIBITIONS.

SIR,

I am directed by the Court of Assistants of the Mercers' Company to forward to you for the consideration of their Lordships the following observations and objections to the Scheme in the matter of St. Paul's School which has been submitted by the Charity Commissioners to the Committee of Council on Education.

In the first place I am desired to inform you that these Schemes have been 10 submitted to their Lordships by the Charity Commissioners without waiting for the views thereon either of the Governing Body or the Mercers' Company. Substantially the provisions of the Schemes, so far as they affect changes relating to St. Paul's School, were first formulated by the Charity Commissioners in their letter of the 1st August, 1893, published in the *Times* on the 3rd of the same month, and it was not until more than two months later that the Governing Bodies had an opportunity of considering that letter. The Commissioners have stated that those "provisions no longer appear to be matter of difference," but as a matter of fact the three main changes, viz. :—

- (a) The limitation of the income of the School,
- (b) The alteration in the constitution of the Governing Body, and
- (c) The value of the Scholarships and the conditions of their tenure,

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are now and always have been persistently objected to by the Company, and, it is believed, also by the Governing Body.

The Court of Assistants see with much regret that by Clause 15 of the Scheme for St. Paul's School, which is referred to in this letter as the Scheme, the Charity Commissioners propose to limit the annual payment out of the income of the Foundation to the Governing Body of St. Paul's School to the sum of £8,000, exclusive of the cost of "permanent structural improvements" in the buildings of the School. The Court would beg leave to point out that the net 30 income of Dean Colet's Estate at the present time amounts to nearly £18,000, and that by the falling in of leases in the near future it will be very considerably increased, and they would therefore submit that St. Paul's School, being the sole object of the original Foundation, should be more liberally treated. The Court would prefer that after deduction of the sums diverted from the income of the Foundation to a Modern School and a Girls' School the residue of the income should be given to St. Paul's School. It only requires to be pointed out that the total annual expenditure on St. Paul's School, on an average of the past three years, has been £23,400.

The Court would also further point out that the "ordinary structural repairs" of the School buildings will be always a considerable charge on the income of the School.

The Court of Assistants note with satisfaction that the Charity Commissioners have retained the three Wardens of the Mercers' Company as *ex-officio* Governors of the School, but they view with profound regret the proposed introduction by the Commissioners of three additional Governors to be appointed by the London County Council. The Commissioners in their published draft Scheme of the 4th March, 1893, left the composition of the Governing
 10 body unchanged in deference to the representations of the Governors, with which the Court of Assistants fully concurred, and it does not appear that any new reasons have been given for departing now from an arrangement which was adopted then after full consideration. The Court in a letter to the Secretary of the Commission of the 28th October, 1893, gave reasons why it was inexpedient that gentlemen nominated by the London County Council should be so appointed, and would beg leave to repeat their reasons, viz.—That St. Paul's School is one of the principal public schools of England, and that the results obtained at the Universities and elsewhere prove that the education there given is of the very
 20 highest character. That while it may be desirable that the County Council should be represented on the Governing body of polytechnic and other schools more or less subsidised by grants from money under the control of the Council, it cannot be said that the County Council have such a connection with higher education in London that it is either necessary or expedient that that body should appoint Governors of St. Paul's School.

To these reasons it may be added that St. Paul's School is not a local school, that the endowment has no particular area of application, and that children admitted into the School come from the country, from India, and the Colonies. The endowment would appear, therefore, not to come within the scope of the resolution of the House of Commons of the 18th May, 1886, and this view was
 30 held by the Vice-President of the Committee of Council on Education so recently as the 6th September, 1887, as appears from his answer in the House of Commons on that date to a question put by Mr. Lawson.

The Court desire that the chairmanship of the Governing Body should remain in the Master of the Mercers' Company by virtue of his office. They pointed out to the Commissioners in the letter already referred to, that an alteration in the schemes of 1876 and 1879 by which the chairmanship should be determined by the Governors themselves, would be an infringement of the understanding come to between the Company and the Endowed Schools Commissioners when the scheme of 1876 was being framed. It was felt at that time by the Company that their
 40 Master, who had been chairman of the Court of Assistants, the Governing Body of the School appointed by Dean Colet, ever since the foundation of the School, should continue to be chairman of the new Governing Body, and the assurance given by Lord Lyttleton at the interview which the then Master had with him on the 4th November, 1873, that the Endowed Schools Commissioners would name the Master of the Company for the time being as the Chairman of the Governing Body, in a great measure conduced to the success of the negotiations between those Commissioners and the Company for the settlement of the basis on which the scheme of 1876 was framed. It cannot be contended that the system, which has

obtained for nearly 400 years, has in any way worked to the detriment of the school, either before or since the scheme of 1876 came into operation.

The Court wish to call the attention of their Lordships to the second section of Clause 40 of the scheme, inasmuch as it appears to them that the second subsection of the 19th section of the Endowed Schools Act of 1869 provides for the omission of the 16th section of the same act in the case of boarders in a school where, by the express terms of the original instrument of foundation, or of the statutes or regulations made by the founder, scholars educated in a school are required to learn or to be instructed according to the doctrines of any particular Church.

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The Court desire that the ancient name of Sur-Master, applied to the second master of the School, should be retained, and that the title should be recognised in the scheme.

As to Clause 51 the Court notices that the right of any assistant master who may be dismissed by the High Master to appeal to the Governors against such dismissal, which right was given to the assistant masters in the scheme of 1879, is taken away by the present scheme. As this is a matter more for the Governing Body than for them, the Court merely draw attention to the fact.

The Court desire, with reference to Clause 61, to object to the provisions enabling the Charity Commissioners to appoint examiners for the School in any year, as they feel that in a school of the high character of St. Paul's, controlled by the Governing Body appointed by the scheme, it is not necessary, and may very possibly be productive of serious inconvenience, if not mischief, to the School, if the system of examination adopted by the Governors is interfered with by a body like the Charity Commissioners, who, so far as the Court are aware, are not charged with educational functions.

20

The 65th clause of the scheme entirely changes the educational aspect of the School, so far as the scholarships are concerned. The Court, in the interests of the School and of the parents of boys who may hereafter be admitted into it, object to any alteration of the 76th clause of the scheme of 1879, with reference to the foundation scholarships tenable in St. Paul's School. The Court are informed that the provision in that clause limiting one third of such scholarships to candidates between 12 and 14 years of age has worked well, and they can see no reason why all the 153 places on the foundation should be thrown open to boys not over the age of 16, with the inevitable result that junior boys would be unable to successfully compete for them, and none but senior boys would be admitted as scholars.

30

The Court would further call the attention of their Lordships to the fact that for nearly 400 years there have been 153 scholars in St. Paul's School who have as a right enjoyed an entire exemption from payment of fees, and they protest against this part of the clause as an unjustifiable derogation from a right coeval with the foundation of the School.

40

The Court further object to that part of the same clause which enables the Governors to award to the holder of any scholarship, who in their opinion is fitted by his circumstances to receive such benefits, sums of money not exceeding £20 a year to any one scholar, on the ground that it will be very difficult for the Governing Body to exercise a proper discretion in the award of such benefits. It would be better to provide that each scholar should receive £20 a year.

The Court would remark on Clause 68 that the aggregate value of leaving exhibitions is much less than is given at some other schools, which are less richly endowed and whose scholars generally come from a more affluent class, and this furnishes strong additional reasons for a much larger endowment than that proposed to be given to St. Paul's School by the Charity Commissioners.

10 Whilst availing themselves of the opportunity of pointing out what seems most open to objection, the Court of Assistants wish it to be distinctly understood that they do not acquiesce in the view as to the necessity for this new scheme. The only modification in the scheme now in force, which was concurred in by the Court, was that as to the establishment of a Modern School, and it came upon the Court as a complete surprise that proposals should be made for introducing great and radical changes into all that relates to St. Paul's School, which is in the highest possible state of efficiency, and which the chief Charity Commissioner has declared to be doing "magnificent work."

20 It is to be greatly regretted that the Commissioners declined to follow the course which they were asked to take, and which they followed in precisely analogous circumstances in 1879. The scheme of 1876 provided for a Modern School separate from St. Paul's School. The Governors subsequently applied for legal sanction to the establishment of a modern department and a classical department in the same building, and the Commissioners gave effect to that application by an order made under the Charitable Trusts' Acts.

I am also to observe that the Court deprecate, as being most injurious to the best interests of St. Paul's School, piecemeal dealing with the Foundation, and trust that this proposed scheme will be withdrawn, nothing being done until such time as all the Schools of the Foundation can be dealt with. There is no urgency, and it is not reasonable to suppose that this scheme, now confined to St. Paul's School, will not be re-opened when the minor schools come to be dealt with, after the report of the Royal Commission.

30 The Court do not desire to make any suggestions with regard to the scheme for the regulation of the Foundation of Lord Campden's exhibitions.

I am further to say that this letter has been submitted to the General Court of the Mercers' Company and approved by them.

I am, Sir,

Your obedient Servant,

JOHN WATNEY.

G. W. KEKEWICH, Esq., C.B.,
Secretary to the Committee of Council on Education.

[2nd June, 1894.]

THE MEMORIAL OF FORMER SCHOLARS OF ST. PAUL'S SCHOOL.

To the Right Honourable the Lords of the Committee of Council on Education.

MY LORDS,

We the undersigned, being former Scholars of St. Paul's School, respectfully offer for your consideration the following objections to the Scheme of the Charity Commissioners for the administration of St. Paul's School, which has recently been submitted to the Committee of Council on Education.

In the observations which we are authorised to lay before you, we are supported with remarkable unanimity by the former Scholars of St. Paul's School ; 10 so far, that is, as it has been possible to ascertain the opinions of a numerous and widely-scattered body by means, in the first instance, of a very large and representative Meeting, and subsequently by communications made to us.

We have to regret that three distinguished Paulines, whose sympathy was strongly with us in this matter, and one of whom was a signatory to our Memorial to the Charity Commissioners, have been removed by death. We refer to Lord Hannen, to Professor Jowett, the late Master of Balliol, and to his Honour Judge Eddis, Q.C.

We beg in the first place to submit that the introduction of a new Scheme at the present time is not justified on grounds either of necessity or of expediency. 20

In the case of St. Paul's School there is no question of the reform of abuses or of the utilisation of a dormant Foundation. The School, by general acknowledgment, has under its present administration been doing invaluable educational work, and has won for itself a reputation second to none amongst our great Public Schools.

It will not, we think, be disputed that continual reconstructions at short intervals of a complicated and sensitive organisation such as that of a Public School cannot fail to be injurious. We may mention that the present Scheme, under which the School has been so successfully developed, has been in operation for only twelve years, and was itself a modification of one which remained in force 30 for only three years.

But without dwelling further upon this point, we would ask your attention to some of the definite provisions of the Scheme, which we hold to be open to most serious objection.

We refer especially to—

- I. The Income assigned to St. Paul's School from Dean Colet's Endowment.
- II. The Emoluments of the Foundation Scholarships.
- III. The Constitution of the Governing Body.

I.—AS REGARDS THE INCOME ASSIGNED TO THE SCHOOL FROM THE ENDOWMENT.
(SECTION 15.)

We pointed out in our Memorial to the Charity Commissioners dated May 1st, 1893, that the sum of £8,000 a year assigned by their Scheme to the School was “quite inadequate to maintain the School in its present high state of efficiency.”

To this contention we are compelled now to give greater prominence and a stronger emphasis. The strict accuracy of our statement is indisputably proved by the published summaries of accounts for the last three years. As these are before your Lordships it will be unnecessary for us to discuss them in detail. We
10 will content ourselves with asking your attention to the fact that the average for three years of the Annual Expenditure of the School for all purposes was (in round numbers) £23,400, while the Annual Receipts from all sources—exclusively of Colet’s Endowment—were about £12,800; leaving thus a sum of about £10,600 to be supplied each year from the Endowment in order to balance the account. Unless, therefore, there has been culpable extravagance in the expenditure—and no such suggestion, so far as we are aware, has ever been made—there will be an annual deficit of about £2,600 if the sum appropriated to the School from the Endowment be limited, as the Charity Commissioners propose, to £8,000.

But these remarks are far from completing our case against the provisions of
20 this part of the Scheme.

We would ask your Lordships’ attention to the fact that while the Income of the School is thus strictly limited, it has been made liable to several additional charges by the Commissioners themselves, either in the original Draft or in the subsequent revision of their Scheme. We refer to the following provisions:—

- (a) For awarding sums of money to Foundation Scholars not exceeding £20
in any one year to any one Scholar. Sect. 65.
- (b) For appropriating a sum not exceeding £1,000 a year to the maintenance
of Exhibitions in addition to the Camden Endowment. Sect. 68.
- (c) For granting Pensions or Retiring Allowances to Teachers or Officers of
30 the School. Sect. 71.

These enactments will clearly entail very heavy charges upon the Income of the School. They are charges not included in the School Accounts of past years (as quoted above) except as to a sum of about £600 appropriated by the present Governors to the maintenance of Exhibitions.

But what appears to us to be yet more remarkable is that, although neither the additional expenditure on Exhibitions nor the grants to Foundation Scholars were contemplated by the Charity Commissioners when they fixed the interest of St. Paul’s School in Colet’s Endowment at £8,000, they have since imposed these new charges upon the reduced income of the School, without providing any fund
40 out of which the cost can be defrayed.

It is to this omission, and not to the policy of the enactments themselves (in which, so far, at least, as regards the second and third, we heartily concur) that we desire to make serious objection.

We are glad to have to acknowledge that in their Revised Scheme the Commissioners have conceded to the School, in addition to the annual sum of £8,000, “the cost of permanent structural improvements in the buildings”; but we

have to regret that neither by a direct charge upon the Endowment nor by increasing the amount of the annual grant have they made provision for the heavy and increasing expense of keeping so extensive a range of buildings and the grounds attached to them in satisfactory condition and sound repair.

II.—AS REGARDS THE EMOLUMENTS OF THE FOUNDATION SCHOLARSHIPS.

(SECTION 65.)

There is, we believe, no point upon which the former Scholars of St. Paul's School are more thoroughly unanimous than in the desire that the 153 Foundation Scholarships should be continued as free places in the School, retaining as they have done for nearly four centuries the right of entire exemption from all payment 10 of fees for tuition.

Nor is this with us a mere matter of sentiment, greatly as many of us cherish this unique institution of our ancient School.

We are convinced that in past years these free Scholarships have not only been an inestimable boon to many generations of Scholars, but have contributed largely to the maintenance of a high standard of education, even beyond the limits of the School itself.

But we object to the provisions of Section 65, not merely because they permit a definite reduction in the value of these Scholarships, but yet more because they 20 render their value uncertain and precarious.

It will, we are sure, seriously impair the utility of the Foundation Scholarships, both to the School and to the Scholars themselves, if the amount of the emolument attached to them is uncertain and variable, dependent upon the fluctuations from time to time in the general income of the School, or in the financial or educational policy of the Governing Body.

There is one other question which, with your permission, we desire to raise ; namely, as to the operation of Sections 65 and 67. We take it that in reserving power to the Governors to make regulations about the tenure of the Foundation Scholarships, it is intended by the Commissioners to leave a discretion to the Governors to maintain the existing division into junior and senior Scholarships, with distinct 30 examinations to be passed in either case by candidates being within the limits of age fixed for such Scholarships respectively.

This arrangement (with modifications in detail) is, we believe, generally if not universally adopted wherever such Scholarships are offered for competition. It is so obviously desirable that we trust that it will be continued at St. Paul's School under sanction of any regulations which may receive your approval.

III.—AS REGARDS THE CONSTITUTION OF THE GOVERNING BODY.

(SECTION 17.)

The objections which, on behalf of the former Scholars of St. Paul's School, we were authorised to make to the proposal for vesting the appointment of three 40 Governors in the London County Council were fully stated in our Memorial to the Charity Commissioners dated 18th December, 1893.

We are aware that since the date of that Memorial the London County Council has been brought into relation with the Educational Foundations of the Metropolis, and has been entrusted with the administration of public funds for educational purposes.

But, independently of all such objections as were founded upon the constitution of the London County Council and the purposes of its appointment, there are, we submit, other reasons for our objection to this proposal which have lost neither force nor pertinence in the interval.

We confidently maintain that St. Paul's School occupies a position altogether
 10 distinct and different from that of those "various institutions" in the Metropolis on the Governing Bodies of which the Commissioners are proposing to place representatives of the London County Council. St. Paul's is not a local school. If it were necessary we might appeal in support of this contention to the fact that St. Paul's School was originally included, with eight other important schools, in the Public Schools Bill of 1865, and that it was only through the action (admitted now to have been mistaken) of the Governing Body of that time that it lost this position of advantage, and was left to be dealt with, at a later time, amongst the "Endowed Schools" of the country at large.

As we have stated in our Memorial to the Charity Commissioners, we cannot
 20 concur in the view that the nomination of Governors by the London County Council is desirable in order to safeguard the interests of London in St. Paul's School.

The special interest which London undoubtedly possesses in Dean Colet's Foundation is already abundantly secured by the present constitution of the Board, by the local position of St. Paul's School, and by the proposal (when carried into effect) to establish two new schools from the property of the Trust.

But the benefits of Dean Colet's Endowment were intended, and have for nearly four centuries been administered, not for London alone, nor for any one locality, but for "children of all nations and countries," and we may mention that
 30 a large number of boys are at the present time attending the School from homes far outside the area of administration of the London County Council.

We have pointed out that under the Scheme of the Commissioners, as now submitted to you, there will be a large annual deficit upon the School accounts.

The question is, therefore, a pressing one, how is it intended to meet that deficit?

It must be met, as it appears to us, in one or other of the following ways:—

1. By a stricter economy in the administration of the School. This, as we are assured, is not practicable. It has not even been suggested, so far as
 40 we are aware, that either in the number or the salaries of the Masters and officers, or in the expenses of the general management, can any reduction be made without seriously impairing the efficiency of the School.
2. By requiring the payment of Tuition Fees by the Foundation Scholars. Against this proposal, which is in fact involved in the Scheme of the Commissioners, we have already submitted to you our most earnest remonstrance. We may add that unless the Fees to be paid by such

Scholars be raised to an amount which would render their Scholarships valueless, the relief so obtained would be quite inadequate.

3. By raising the amount of the ordinary Tuition Fees. This course, we maintain, would be neither equitable nor politic. The Tuition Fee (£24. 9s.) is sufficiently high at present. Any considerable increase in its amount would put the advantages of the School beyond the reach of those whom it has hitherto chiefly benefited. There would also, we believe, be no little danger that such increase of Fees would defeat its own object by causing a serious reduction in the number of boys attending the School.

10

The above considerations, which we are sure will in substance be urged upon your attention from many different quarters, will, we trust, be sufficient to convince your Lordships that it will be impossible for St. Paul's School to maintain in the future its high position and well-merited reputation, unless there be permanently reserved to it a much larger share in the Endowment of Dean Colet than that assigned to it by the Scheme of the Commissioners.

We desire to repeat to your Lordships the statement which we have already made to the Charity Commissioners, that in the wise and liberal extension of the benefits of Dean Colet's endowments, so soon as the Trust Fund may admit of the necessary charges upon it without detriment to St. Paul's School, as now 20 established, we heartily concur.

But, on the other hand, we earnestly appeal to you not to allow the acknowledged usefulness of St. Paul's School to be impaired by the diversion to other objects (however desirable in themselves) of funds upon which it certainly has a first and paramount claim, and which are absolutely essential to its continued efficiency and success.

We have the honour to be,

Your very obedient servants,

C. E. POLLOCK,
WEST RIDGEWAY,
ALFRED J. CARVER,
RICHD. WHITTINGTON,
HARRY BODKIN POLAND,
FRED. JAS. HALLIDAY,
CECIL CLEMENTI SMITH,
WALTER J. LAWRENCE,
J. A. KINGDON,
GILBERT T. WALKER,
W. M. GELDART.

30

JOHN SHEARMAN, <i>Hon. Treasurer.</i>	}	OLD PAULINES' CLUB.
GEORGE BATHURST LONG, <i>Hon. Secretary.</i>		

Dated 2nd June, 1894.

25th July, 1894.

ST. PAUL'S SCHOOL.

A report of the Special Committee of the interview with Mr. Acland on the 18th July, 1894.

Mercers' Hall,
25th July, 1894.

10 The Committee appointed on the 13th July instant to wait upon the Vice-President of the Council, with reference to the Governors' objections to the proposed Scheme for St. Paul's School, beg leave to report that with the exception of the Earl of Selborne, who was unable to be present, they attended at the Education Department at Whitehall, on the 18th July, and placed before Mr. Acland the views of the Governors on the subject of the new Scheme. The Vice-President received the deputation not only in a conciliatory but also in a sympathetic manner, and they are happy to say that on many points he agreed with the views of the Governors.

The following memorandum shows the way in which the matter was dealt with by Mr. Acland :—

1. Provision as to Girls' School to be inserted in the Scheme with a few special Governors added.
- 20 2. Nominees of the County Council on the Governing Body to be retained.
3. £9,000 per annum to be allowed out of the income of the Foundation instead of £8,000, and that allowance to be exclusive of all repairs to the school buildings.
4. Scholars to be allowed to remain in School, with consent of Governors, beyond the age of 19.
5. Holders of Scholarships to be exempt from tuition fees.
6. Present distinction between Senior and Junior Scholarships to be maintained.

30 There are some minor points which Mr. Acland did not mention, but he stated that he would make representations to the Charity Commissioners with reference to them.

The Committee are inclined to think that Mr. Acland may perhaps place the Pension Fund on the general funds of the Foundation and exclude it from the proposed endowment for St. Paul's School.

The Committee have had a statement made out of the income and expenditure of the School for the year 1893, showing the way in which the proposed endowments will affect the finances of the School.

INCOME 1893 :—

40	Tuition Fees	£11,881
	Proposed Endowment	9,000

20,881

EXPENDITURE 1893	£23,046
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Deduct—

Repairs	£1,673
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Campden's Exhibitions...	930
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2,603

20,443

Balance	£438
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3 T

to meet—

1. Proposed increase of Exhibitions.
2. Pension Fund for Masters (if this is not put on the income of the Foundation).
3. Payments to poor Scholars.
4. Increase of Salaries.
5. Increase in Rates and Taxes.

The Committee also beg to submit an opinion of Counsel, taken by them under the reference of the 22nd June, whether the Governors have any prospect of obtaining an Act of Parliament to place St. Paul's School under the Public Schools 10 Act.

(Signed) C. T. LANE,
Chairman, on behalf of the Committee.

25th July, 1894.

At a meeting of the Governors of St. Paul's School held at St. Paul's School on the 25th July, 1894,

It was resolved—

That the Governors are of opinion that the sum of £10,000 should be allowed for the endowment of the School, and that the ordinary repairs and improvements, and any expenses on account of the Pension Fund, should be a charge on the surplus income.

10 And also that if the other parts of the Scheme could be settled in a manner satisfactory to the Governors, they would not, as at present advised, bring the Scheme before Parliament on the question of the County Council Governors alone.

Mercers' Hall, London :
9th August, 1894.

SIR,

The Governors of St. Paul's School desire to thank you for your courteous and sympathetic reception of the deputation, who had the honour of waiting upon you on the 18th July, and for the important improvements in the Scheme which you then promised to recommend to the Charity Commissioners.

The Governors have taken the earliest opportunity of discussing the difficulties which still remain to be dealt with. A long and careful discussion of the details of the Scheme has resulted in the clear and unanimous conviction 10 that the financial arrangements even with the proposed amendments are unsound from a business point of view, and I am therefore desired by the Governors to address you again on the subject.

The limitation of the income to a definite sum renders it incumbent upon the Governors to guard the future with greater care than might have been necessary if the surplus balance from the property of the Foundation, which may be expected to rise in value, had been left available to meet increasing demands upon the income. The Governors understand that so far as the Scheme of the Charity Commissioners is concerned, such an arrangement will not be proposed. They have therefore, for the present purpose, to consider the adequacy of an 20 endowment of £9,000 a year, exclusive of ordinary repairs and permanent structural improvements.

Taking the expenditure of last year, omitting the item of repairs, with an income of £9,000 from the Foundation, in addition to the Scholars' fees of that year, there would be a small balance of £438, which is, however, reduced to about £250 by an increase in exhibitions since the accounts for 1893 were made up. If a similar relation between receipts and expenditure could be safely calculated on for the future, the Governors would be able to carry on the School, but there would be no reserve to meet the special calls, which must come now and then in the development of so large an establishment. 30

It is impossible, however, to expect that even this small balance will be maintained.

In the first place, the receipts are calculated at a time when the School is at the height of well-deserved prosperity, and is full. Any one of the chances, to which the fortunes of such an institution as St. Paul's School are exposed, may at any time cause a reduction in numbers. If ten boys were withdrawn, the Governors would have to face a deficit. They could not reduce the staff for so small a diminution in numbers without loss of efficiency ; and to reduce the staff at such a moment would be to court further depression. To raise the fees at any time, and especially at such a time, would be a dangerous experiment ; such a 40 course would probably result in a loss in numbers, which would at least go far to neutralise the gain. The Governors cannot, in ordinary prudence, disregard the probability—in the long run the practical certainty—of such fluctuations as are here suggested.

Again, the expenditure is calculated at a time when it is not at its highest point. It cannot be safely assumed that the payments on account of rates and taxes have reached their maximum, and the Governors have no power to prevent an increase. Any increase would cause serious embarrassment, and the Governors continue to feel that the reasonable and proper course is either to make special provision for such an increase of charge, or to exempt the fixed income from it.

10 The question of the payments to Masters is an anxious one ; chiefly because the staff has been created within recent years, during the rapid growth of the School since its transference from the City. In an old-established school, a fair equipoise is maintained by regular and gradual promotion throughout the staff, as the Masters who have reached the higher stipends pass away, and are superseded by younger men. But at St. Paul's this stage has not nearly been reached. If the natural expectations of the excellent staff whom the High Master has gathered round him are to be fairly met, the total amount paid to the Assistant Masters must rise for some years to come before it reaches a fairly permanent level. The great cost of living near the School, and the virtual absence of the pecuniary prizes offered by boarding-houses in other schools, are important elements in the consideration which the Governors have to give to this question.

20 It has been suggested, the Governors understand, that a smaller capitation allowance might be made to a future High Master. But the Governors are alive to the fact that there are much greater prizes in the educational profession than that which is offered, on the present scale, to a High Master of St. Paul's School. They believe the actual income to be none too great for a man of power sufficient to rule a school of such importance and to maintain its high repute. It would be an expensive economy to reduce the money value of the Mastership to any serious extent on the occurrence of a vacancy, and should the Governors make such a reduction on the appointment of a High Master, he would, no doubt, look for an increase, as time went on.

30 The Governors have not as yet established a pension fund ; but the formation of such a fund must soon come under consideration. And in the ordinary course of events, they may shortly have to deal with well founded claims on any pension fund which may be at their disposal. It would be impossible for them to do justice to such claims with the funds which it is now proposed to assign to them. The whole question of pensions should, in their opinion, lie outside their fixed income.

40 Further, the Scheme empowers the Governors to make money payments to the Scholars. This is a power for which the Governors did not ask, and they foresee grave difficulties in its exercise, involving, as it must if it is to be individually and not universally applied, an inquiry into the private circumstances and resources of the parents of the boys. It cannot be the intention of the Charity Commissioners that this power should remain a dead letter, and it must clearly be regarded as entailing a fresh charge upon the income, and a charge that may become onerous.

On a review of the whole case, with every desire to recognise the relief you have thoughtfully proposed in response to their request, the Governors are sure that they will require a yearly income of at least £10,000 from the Foundation,

exclusive of ordinary repairs and permanent structural improvements, as well as of the pension fund.

In making these remarks on the financial aspect of the Scheme, the Committee are aware that many Schools have to face risks and difficulties as best they may with an income not fully adequate. But they can see no reason for driving into that position a School whose endowments are so ample as those of Dean Colet's Foundation. St. Paul's School is obviously the first charge upon the endowments ; and no other charge should be allowed to cripple its efficiency. The necessity for great care in expenditure is no doubt a useful discipline for Governing Bodies. But no prudent administrator could look forward without dismay to the future 10 financial position of the School when at the moment of its greatest success a surplus of only one per cent. on its then expenditure is shown and this when the School is not fully developed and large and important outlays are being pressed upon the Governors. The Governors cannot take a position in which it may be necessary to decline to meet proper demands for expenditure upon St. Paul's School, on the ground that they have not at their disposal a sufficient amount of the funds bequeathed by the Founder for the one purpose of maintaining that School in full efficiency.

The Governors fully appreciate your evident desire to meet their views and to co-operate with them in securing the maintenance of this great foundation on 20 its present scale of liberality and public usefulness, and they share your own desire to avoid the necessity of an appeal to Parliament. While they still feel grave objections of principle with regard to the proposed alterations in the constitution of the Governing Body, they believe that if the Governors are put in a financial position, which as business men they can regard as fairly sound, they would probably be willing to abstain from pressing to a final issue their objections on other grounds.

I am, Sir,

Your obedient servant,

(Signed) JOHN WATNEY. 30

THE RIGHT HON. A. H. D. ACLAND, M.P.,
Vice-President of the Committee of
Council on Education.

Education Department,
13th August, 1894.

London, } E. S. No. 1054.
St. Paul's School, } E. 46405.

SIR,

Adverting to your letter of the 11th instant, I am directed to remit the above Scheme with the following declaration, that is to say,—that it is expedient that the Scheme be amended in the manner shown in manuscript in the copy of the Scheme enclosed herewith ; and the Scheme is remitted accordingly.

NOTE.—For enclosure see next page.

10

I have the honour to be, Sir,
Your obedient servant,

(Signed) G. W. KEKEWICH.

The SECRETARY,
Charity Commission
(E. S. Branch),
Whitehall, S.W.

[*Enclosure to last letter.*]

Submitted to the Committee of Council on Education.

County—LONDON.

Endowment—St. Paul's School.

No. 765.

E
46405



CHARITY COMMISSION.

10

In the Matter of the Foundation called or known as ST. PAUL'S SCHOOL, in London, founded by Dean Colet, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March 1876, as altered by a Scheme of the Charity Commissioners of the 4th July 1879 ; and

In the Matter of the Endowed Schools Acts, 1869, 1873, and 1874.

SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION.

PART I.—GENERAL.

Object.

1. The object of the above-named Foundation shall be to supply liberal education for boys and girls by means of Schools in or near London.

Repeal.

2. From the date of this Scheme all the particulars which by the Endowed Schools Acts, 1869, 1873, and 1874 are capable of being hereby repealed and abrogated shall, so far as relates to the management of the Foundation, but not to the vesting of the property thereof in the Wardens and Commonalty of the mystery of Mercers in the city of London, hereinafter called the Company, be repealed and abrogated.

Jurisdiction of
visitor.

3. From the date of this Scheme all rights and powers (if any) formerly reserved or belonging to, or claimed or capable of being exercised by, any body corporate, persons or person, other than Her Majesty, as visitors or visitor of the Foundation, and transferred to Her Majesty, and also any like rights and powers vested in Her Majesty on the 2nd August 1869, shall be exercised only through and by the Charity Commissioners for England and Wales.

4. From the date of this Scheme all jurisdiction of the Ordinary relating to or arising from the licensing of any master in any School of the Foundation shall be abolished. Jurisdiction of Ordinary.

5. Nothing herein contained shall affect—

Saving of rights and interests.

(1.) The tenure by any person of any Scholarship, or of any Exhibition payable out of the endowment of the Foundation, which was held by him, or had been awarded to him, on or before the date of this Scheme :

10 (2.) Such interest as any teacher or officer of the Foundation appointed to his office before the 25th June 1868 may have in such office or as any person may have in any pension or compensation allowance payable out of the endowment of the Foundation and granted before the 25th June 1868.

6. Religious opinions or attendance or non-attendance at any particular form of religious worship shall not in any way affect the qualification of any person for being one of a Governing Body under this Scheme. Religious opinions.

7. No member of a Governing Body under this Scheme shall receive any emolument out of the income of the Foundation. No Governor to receive emolument.

PART II.—MANAGEMENT OF PROPERTY.

20 8. Save as hereinafter mentioned all the estates and property of the Foundation shall continue to be and shall be vested in the Company, and all such of the said estates and property as shall not for the time being be used or occupied for the purposes of the School of the Foundation shall continue to be managed by the Company, or by their Court of Assistants, or by their officers acting under their orders, according to the general law applicable to the management of property by trustees of charitable foundations. Any money arising from the sale of timber or from any mines or minerals belonging to the Foundation shall be treated as capital, and invested in any such securities as may from time to time be authorised by any Act of Parliament for the investment of trust funds, except in any special
30 cases in which the Company may be authorised by the Charity Commissioners to apply such money or any part thereof as income. Management of property.

9. All capital sums which, under the provisions of this Scheme, the Company may be required to raise shall be raised by them by sale or mortgage of the real or personal property of the Foundation, or by both those means, or otherwise, on such terms and subject to such conditions as may be sanctioned or prescribed by the Charity Commissioners in each case. Raising money.

10 10. The Company shall make such arrangements as they think fit for the custody of all muniments, title deeds, and other documents belonging to the estates and property of the Foundation, for deposit of money, for drawing cheques, and for the appointment and payment of a Clerk and of other officers for the conduct of the business relating to the estates and property of the Foundation. Conduct of business.

11. The accounts of the estates and property of the Foundation shall be made up and balanced to the 31st day of December in every year. The accounts shall be signed by the Master or one of the Wardens of the Company within two calendar months after the day to which they are made up. As soon as practicable after the accounts are so signed they shall be audited. Accounts.

Audit 12. With respect to the audit of the said accounts, the following provisions shall have effect :—

- (1.) The auditor in each year shall be appointed by the Lord Mayor of London and shall receive such remuneration as the Company, subject to the approval of the Charity Commissioners, may direct ; and such remuneration, together with the expenses of or incident to the audit, shall be paid by the Company out of the income of the Foundation.
- (2.) The audit shall be held at the office of the Company, or at some other convenient place to be named by them, and at a time to be fixed by the auditor, but to be as soon as possible after the accounts are 10 signed.
- (3.) The auditor, at least 14 days before holding the audit, shall serve on the Company, and on the Governing Body of St. Paul's School hereinafter constituted under this Scheme, notice of the time and place of holding the audit.
- (4.) The Clerk of the Company, or some person authorised by them, shall attend the audit, and produce to the auditor all books, bills, vouchers, and documents relating to the accounts.
- (5.) Any member of the Company, or of the said Governing Body, may be present at the audit, and object to the accounts. 20
- (6.) The auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the accounts, as in the case of an audit of the accounts of the School Board for London, and the said Governing Body or any person aggrieved by the decision of the auditor shall have a right of appeal to the Charity Commissioners, whose decision shall be final.
- (7.) Subject to the provisions of this clause, the Charity Commissioners may from time to time make such regulations as may in their opinion be necessary respecting the form of keeping the accounts and the audit thereof. 30

When the auditor has completed the audit, he shall sign the balance sheet.

Statement of accounts. 13. The Company shall in each year cause a statement of accounts, showing their receipts and expenditure in respect of the Foundation for the preceeding year, to be printed in such form, and with such particulars, as may be from time to time prescribed by the Charity Commissioners, and shall send the same within 30 days after the balance sheet is signed by the auditor to the Governing Body of St. Paul's School hereinafter constituted under this Scheme, and to the Charity Commissioners, and publish an advertisement thereof in two London daily newspapers, and cause copies to be sold to all applicants at a price not exceeding 3d. for each copy. 40

School buildings. 14. The present and any future buildings, with their site* and playgrounds used for the purposes of the School or Schools of the Foundation, shall, so long as they respectively continue to be so used, be respectively managed by the Governing Bodies of St. Paul's School and of Dean Colet's Girls' School hereinafter constituted under this Scheme without interruption by the Company.

15. The Company may, with the sanction of the Charity Commissioners, from time to time make such donations and annual allowances or subscriptions out of the income of the estates and property of the Foundation as they may think fit, having regard to the income derived from the estates in respect of which donations or subscriptions are proposed to be made. After paying such donations or subscriptions, and after defraying the expenses of management incurred under the provisions of Parts I. and II. of this Scheme, including a reasonable sum for providing the yearly Apposition dinner, the Company shall pay out of the net income of the Foundation to the Governing Body^{Application of income.} of St. Paul's School ~~and of Dean Colet's Girls' School~~ hereinafter constituted under this Scheme, ~~respectively~~, such sums as they shall require, according to the provisions of this Scheme, for the purposes of ~~that the Schools, respectively~~, but so that the amount of income so paid shall not exceed in any one year the sum of ~~£8,000~~ £9,000 in the case of St. Paul's School and £2,500 in the case of Dean Colet's Girls' School, exclusive in each case of the cost of ordinary repairs and of any permanent structural improvements in the buildings of the School which may, with the sanction of approved by the Charity Commissioners, which may be defrayed out of the general funds of the Foundation.

16. The residue of the income of the Foundation shall be invested in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, and shall be accumulated with a view to a further Scheme.^{Residue.}

PART III.—GOVERNING BODY OF ST. PAUL'S SCHOOL.

17. The Governing Body of St. Paul's School (hereinafter called the Governors) shall be constituted as follows ~~consist of ex-officio Governors and elected Governors. The ex-officio Governors shall be—~~^{Governing Body of St. Paul's School.}

The Master and three Wardens of the Company for the time being. ~~The who elected Governors shall be appointed as follows:—ex-officio Governors.~~

Nine Governors to be appointed by the Court of Assistants of the Company, and Elected Governors who shall be appointed—

- 30 Three by the Hebdomadal Council of the University of Oxford.
Three by the Council of the Senate of the University of Cambridge.
Three by the Senate of the University of London.
Three by the London County Council.

The persons in office at the date of this Scheme as Governors of the Foundation appointed by any of the said electing bodies shall be entitled to remain in office under this Scheme each for the remainder only of the term for which he was appointed.

The following persons shall be reckoned as the Governors appointed in the first instance by the London County Council:—

- 40 The Right Honourable Robert Baron Monkswell;
The Right Honourable Sir John Lubbock, Baronet; and
William George Lemon, Barrister-at-Law.

18. Every Governor, other than the Master and Wardens of the Company, shall be appointed to hold office for five years and then retire. If during his term^{Term and vacation of office.}

of office any Governor, other than the Master and Wardens of the Company, becomes bankrupt or incapacitated to act, or expresses to the Governors in writing his wish to retire, or fails for the space of one year to attend any meeting, the Governors shall, after notice to such Governor at his last known place of residence in England, cause a record of the fact to be entered in their books, and notify the same to the Body by whom he was appointed; and upon such record being entered the Governor to whom it applies shall cease to be a Governor, and thereupon, or upon the death of any Governor, other than *an ex officio Governor*, ~~the Master or any of the Wardens of the Company~~, the proper Body shall proceed to appoint a successor to the vacant place. A Governor vacating office by retirement or non-attendance only shall not be thereby disqualified for re-appointment. 10

Teachers not to
be Governors.
Acceptance of
office.

19. No Teacher in the School ~~of the Foundation~~ may be a Governor.

Meetings of
Governors.

20. Every Governor shall, at or before the first meeting he attends in that character on his first or any subsequent appointment, sign a memorandum declaring his acceptance of the office of Governor, and his willingness to do his duty as such, and to act in the trusts of this Scheme; and until he has signed such a declaration he shall not be entitled to act.

Chairman.

21. The Governors shall from time to time summon and hold meetings in some convenient place to be fixed by themselves as often as may be found necessary and at least twice in each year, on days to be appointed by themselves. 20

Quorum.

22. The Governors shall, at their first meeting in every year, appoint one of their number to be their Chairman for the year, and shall make regulations for supplying the place of the Chairman in case of his death, resignation, or absence.

23. A quorum shall be constituted whenever seven Governors are present, and any such quorum may act notwithstanding a vacancy or vacancies in the whole number of Governors. Whenever any decision is made in favour of which less than a majority of the Governors for the time being entitled to act have voted, it shall be competent to any two Governors, within seven days from the day of the decision, to demand that the decision shall be once reconsidered at a special meeting, to be held at an interval of not less than 14 and not more than 21 days after the meeting at which such decision was made. 30

Special meetings.

24. The Chairman or any two Governors may at any time summon a special meeting for any cause that seems to him or them sufficient.

Notice.

25. All special meetings shall be convened by notice in writing to the Governors, specifying the object of the meeting. It shall be the duty of the Clerk to the Governors to give such notice when required by the Chairman or any Governors having a right to summon such a meeting.

Voting.

26. Save as herein otherwise provided, all matters and questions shall be determined by the votes of the majority of the Governors present at any meeting; and, in case of equality of votes, the Chairman of the meeting shall have a second or casting vote. 40

Adjournment of
meetings.

27. If at any meeting there is not a sufficient number of Governors present to constitute a quorum, or if the business at any meeting is not fully completed, the Governors present may adjourn the meeting to a subsequent day, of which notice shall be given to all the Governors.

Books.

28. A minute book and proper books of account shall be provided by the

Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for the purpose.

29. Minutes of all proceedings of the Governors shall be entered in the minute book and duly signed by the Chairman of the meeting. In the same book shall be recorded the entry into office of every new Governor, and the names of all the Governors present at each meeting, whether a quorum is constituted or not. Minutes.

30. Full accounts shall be kept of the receipts and expenditure of the Governors, and such accounts shall be stated for each year, and examined and 10 passed annually at some meeting within the first two months of the ensuing year, and signed by the Chairman of the meeting. Accounts.

31. The Governors shall in the first quarter of each year cause abstracts of the accounts for the preceding year to be prepared in such form as shall be prescribed by the Charity Commissioners. The Governors shall at the same time and in the same manner cause annual statements of the progress of the School to be prepared. Such abstracts of accounts and such statements for the past year they shall cause to be printed together and published forthwith, and shall advertise such publication in at least two London daily newspapers, and sell copies of the whole set of abstracts and statements so published at such price as they shall think 20 fit, not exceeding 6*d.* for each copy, to all applicants. Publication of abstracts and reports.

32. The Governors shall make arrangements for the custody of all documents, for deposit of money, for drawing cheques, and for the appointment of a Clerk for the conduct of their business. Custody of documents and appointment of Clerk.

33. The property of the Foundation, so far as the management thereof is under the provisions of this Scheme vested in the Governors, shall be managed by them or by their officers acting under their orders, according to the general law applicable to the management of property by trustees of charitable foundations. Management.

34. In order to raise any capital sum which the Governors may from time 30 to time be authorised to expend under the provisions of this Scheme, the Governors may serve their precept on the Company requiring them to raise the same in manner hereinbefore provided, and the Company shall forthwith proceed to raise and pay the same to the Governors accordingly. If any doubt arises as to the validity of any precept, the Company or the Governors may refer the question to the Charity Commissioners, whose decision shall be final. Precept for raising money.

PART IV.—ST. PAUL'S SCHOOL.

35. The present School shall be maintained in the present buildings as a Classical School with a Modern Department, and, if the Governors think fit, with other Departments; but any such Department or Departments shall be 40 part of the School, and shall be under the sole supervision and control of the High Master as hereinafter provided. It shall be a School for boys as day scholars, but the Governors shall have power to admit boys boarding in such of the houses of Masters, or in such other houses, as may from time to time be approved by the Governors. School buildings.

Head Master.

36. There shall be a Head Master of the School, who shall be called the High Master. He shall be a graduate of some University in the United Kingdom.

Holy Orders.

37. No person shall be disqualified from being a Master in the School by reason only of his not being, or not intending to be, in Holy Orders.

Religious instruction.

38. Subject to the provisions hereinafter contained, the Governors and the High Master shall make proper provision for religious instruction in the School ; and such religious instruction shall be in accordance with the principles of the Church of England.

Endowed Schools Act, 1873, s. 11.

39. No alteration in any regulations made by the Governors respecting the religious instruction given in the School shall take effect until the expiration of not less than one year after notice of the making of the alteration is given. 10

Endowed Schools Act, 1869, ss. 15 and 16.

40. The parent or guardian of, or person liable to maintain or having the actual custody of, any day scholar in the School may claim by notice in writing addressed to the High Master the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly ; and a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantages or emoluments in the School or out of any endowment affected by this Scheme to which he would otherwise have been entitled. 20

If the parent or guardian of, or person liable to maintain or having the actual custody of, any scholar who is about to attend the School, and who but for this clause could only be admitted as a boarder, desires the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, but the persons in charge of the boarding houses of the School are not willing to allow such exemption, then it shall be the duty of the Governors to make proper provisions for enabling the scholar to attend the School, and have such exemption as a day scholar, without being deprived of any advantage or emolument to which he would otherwise have been entitled.

If any Teacher in the course of other lessons at which any scholar exempted under this clause is in accordance with the ordinary rules of the School present teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as provided by this clause, the Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of. 30

Appointment of High Master.

41. The present High Master of St. Paul's School, Mr. Frederick William Walker, shall, if willing, continue to hold the office of High Master of the same School under this Scheme. Every High Master hereafter to be appointed shall be appointed by the Governors. Every such appointment shall be made at a meeting to be called for the purpose, as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers, and by such other methods as they may think fit. 40

42. The Governors may dismiss the High Master without assigning cause after six calendar months' written notice, given in pursuance of a resolution, passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter. Dismissal without assigning cause.

43. For urgent cause the Governors may by a resolution passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter, suspend the High Master from office, and in that case they shall appoint another special meeting to be held at an interval of not less than a fortnight after the former one, and may then, by a resolution, likewise passed by a majority of votes of the whole number of Governors for the time being entitled to act, wholly and finally dismiss him. Full notice and opportunity of defence at both meetings shall be given to the High Master. Dismissal for urgent cause.

44. Every High Master, previously to entering into office, shall be required to sign a declaration, to be entered in the minute book of the Governors, in the following form :— Declaration by High Master.

“ I, _____ declare that I will always, to the best of my ability, “ discharge the duties of High Master of St. Paul's School during my tenure of “ office, and that if I am removed by the Governors, according to the constitution “ of the said School, I will acquiesce in such removal and will thereupon relinquish “ all claim to the office and its future emoluments and deliver up to the Governors, “ or as they direct, possession of all their property then in my possession or “ occupation.”

45. The High Master shall dwell in the residence (if any) assigned for him. The High Master shall have the occupation and use of such residence, and of any other property of the Foundation of which he may become occupant, in respect of his official character and duties, and not as tenant ; and shall, if removed from office, thereupon deliver up possession of such residence and other property to the Governors or as they may direct. He shall not, except with permission of the Governors, allow any person to occupy his official residence or any part thereof. Occupation of trust property by High Master.

46. The High Master shall give personal attention to the duties of the School ~~in his charge~~. The High Master shall not hold any office or appointment which, in the opinion of the Governors, may interfere with the proper performance of his duties under the trusts of this Scheme, nor shall he hold any benefice having the cure of souls. Personal attention of High Master.

47. No Teacher in the School shall receive or demand from any scholar or from any person whomsoever on behalf of any scholar any gratuity, or payment, other than such payments as are prescribed or authorised by this Scheme. No gratuities to Teachers

48. Within the limits fixed by this Scheme the Governors shall prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the scholars, and the number of school hours in each week, and of holidays to be given in each term. They shall take general supervision of the sanitary condition of all ~~the~~ school buildings and arrangements. They shall from time to time determine what number of Assistant Masters or Teachers shall be Jurisdiction of Governors over scholastic arrangements.

employed in the School. They shall every year assign to the School the amount to be paid out of the income thereof for the salaries of the teaching staff, and for the provision of a proper plant or apparatus for carrying on the instruction given in the School.

Governors to consult High Master.

49. Before acting under the last preceding clause the Governors shall in all cases consult the High Master in such a manner as to give him full opportunity for the expression of his views.

Jurisdiction of High Master.

50. Subject to the rules described by or under the authority of this Scheme, the High Master shall have under his control the method of teaching, the arrangements of classes and school hours, and generally the whole internal organisation, management, and discipline of the School, and shall have authority over all scholars attending the same in all places and at all times during the school terms : Provided that if the High Master expels a scholar from the School he shall forthwith make a full report of the case in writing to the Governors. 10

Appointment and removal of Assistant Teachers.

51. The High Master shall have the sole power of appointing and of dismissing all Assistant Teachers in the School, but shall forthwith notify every appointment in writing to the Governors. The High Master shall determine, subject to the approval of the Governors, in what manner the sum assigned by the Governors to the School for Assistant Teachers and for plant or apparatus shall be distributed. The Governors shall pay the sum assigned either through the hands of the High Master or directly as they think best. 20

High Master may submit proposals.

52. The High Master may from time to time submit proposals to the Governors for making or altering regulations as to any matters within his province, and the Governors shall consider such proposals and decide upon them.

Income of High Master.

53. The High Master shall receive a fixed stipend of 300*l.* a year. He shall also be entitled to receive a further or capitation payment calculated on such a scale, uniform or graduated, and at such a rate as may from time to time be fixed by the Governors, being not less than 2*l.* nor more than 5*l.* a year for each Scholar attending the School, provided that, when the number of scholars exceeds 300, the payment for each scholar in excess of that number shall be 2*l.* yearly. All payments under this clause shall be made terminally or quarterly, as the Governors shall think fit. 30

To whom School is open.

54. Subject to the regulations made by or under the authority of this Scheme the School and all its advantages shall be open to all boys who are of good character and of sufficient bodily health, and who are residing with their parents, guardians, or near relations within degrees of kindred to be fixed by the Governors, or in exceptional cases with such other persons as the Governors may approve, or who are boarders under the provisions of this Scheme.

Mode of admission.

55. Applications for admission to the School shall be made to some person appointed by the Governors according to a printed form to be by them approved and delivered to all applicants for admission. 40

Register of applications.

56. A register shall be kept of all applications showing the date at which every application is made for the admission of a scholar, the date of admission, withdrawal, or rejection, the cause of rejection, and the age of the candidate at the date of the application : Provided that every person requiring an application to be registered shall pay such fee as the Governors may fix, not exceeding 10*s.*

57. Every candidate for admission into the School shall be examined by or under the direction of the High Master, who shall appoint convenient times for that purpose, and give reasonable notice thereof in writing to the parents or guardians of those whose turn is approaching. No scholar shall be admitted to the School except after passing such examination. Those who are found fit shall, if there is room for them, be admitted in order according to the dates of their application: Provided nevertheless, that each Governor shall have the privilege of nominating in every year one candidate for admission into the School, and every candidate so nominated, if found fit and otherwise admissible, shall be entitled to priority of admission over all candidates not so nominated.

Entrance
Examination.

58. Except as is herein otherwise expressly provided, each scholar shall pay such entrance and tuition fees as the Governors shall fix from time to time, provided that no such entrance fee shall be more than 5*l.* and no such tuition fee shall be less than 20*l.* or more than 30*l.* a year. No preference shall be given to any scholar in respect of such fees on account of his place of birth or residence. No extras of any kind shall be allowed without the sanction of the Governors and written consent on behalf of the scholar concerned.

Entrance and
tuition fees.

59. All payments for entrance and tuition shall be made in advance in such manner and to such person as the Governors shall from time to time appoint for the purpose, and shall be accounted for by the person receiving them to the Governors, and treated by them as part of the income of the Foundation applicable to the benefit of the School.

Payments to be
made in advance.

60. The Governors shall make regulations from time to time for fixing the age of admission to the School. No scholar shall be allowed to remain in the School beyond the end of the school term or half year in which he attains the age of 19 years *except with the permission of the Governors, which in special cases may be given upon the written recommendation of the High Master.* The High Master shall be at liberty to make regulations for the withdrawal of scholars in cases where from idleness or incapacity to profit by the instruction given they are materially below the standard of position and attainment proper for their age.

Ages of scholars.

61. There shall be once in every year an examination of the scholars by an Examiner or Examiners, or by an Examining Body, appointed for that purpose by the Governors, and paid by them, but otherwise unconnected with the School. In any year the Charity Commissioners may by an Order direct that the Examiner or Examiners shall for that year be appointed in any other manner, and the Examiner or Examiners shall for that year be appointed in the manner so directed. The day of examination shall be fixed by the Governors after consulting the High Master. The Examiner or Examiners shall make a report in writing to the Governors on the proficiency of the scholars and on the position of the School as regards instruction and discipline, as shown by the results of the examination. The Governors shall communicate the report to the High Master, and shall send a copy of it to the Charity Commissioners.

Annual
examination

62. The High Master shall make an annual report in writing to the Governors on the general condition of the School, and on any special occurrences during the year. He may also mention the names of any scholars who in his judgment are worthy of praise or substantial reward, having regard both to proficiency and to conduct.

Annual Report of
High Master

Entrance
examination.

63. The examination for admission to the School shall be graduated according to the age of the candidates, but it shall never fall below the following standard (that is to say) :—

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ;
The outlines of English History ; and
The elements of Latin Grammar.

The Governors may raise the minimum standard from time to time if they 10
deem it advantageous for the School.

Subjects of
instruction.

64. The subjects of secular instruction in the School shall be as follows :—

English, Latin, and Greek languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
French and German ;
Drawing ;
Vocal Music ;
Drill and other physical exercises. 20

In the Modern Department special attention shall be directed to Mathematics, Modern Languages, and Experimental Science.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the High Master shall settle the arrangements and classification of instruction in the prescribed subjects.

PART V.—SCHOLARSHIPS AND EXHIBITIONS.

Scholarships.

65. There shall be 153 scholars on the Foundation in the School. The Foundation Scholarships shall be awarded according to the result of competitive examination, ~~as to one-third~~ to candidates ~~not over~~ ~~between~~ the ages of ~~16 12 and~~ 30 ~~11~~ years on the first day of the examination, ~~whether attending the School or not,~~ and ~~as to the rest under such regulations as the Governors may make from time to time.~~ The subjects of such examination and their relative value shall be considered and approved by the Governors, and as regards one third of the Scholarships special weight shall be attached to subjects proper to the Modern Department and Greek shall not be required. Holders of Scholarships ~~may~~ ~~shall~~ be granted exemption from the payment of ~~the whole or any part of the~~ tuition fees ~~as the Governors think fit,~~ and the Governors may award to any holder of a Scholarship, who in their opinion is fitted by his circumstances to receive such benefits, sums of money not exceeding 20*l.* in any one year to any one scholar. 40

Notice as to
Scholarships.

66. Reasonable notice by advertisement in the public newspapers shall be given of the dates and subjects of examination for all Scholarships open to candidates not attending the School and of the number to be awarded at such examination.

67. The Governors shall make regulations from time to time for determining the period of tenure of Scholarships. Every Scholarship shall be awarded by free and open competition and shall be liable to forfeiture on the order of the Governors in case the High Master reports that the holder is guilty of misconduct, is irregular in attendance, or fails to maintain a reasonable standard of proficiency; and no such Scholarship shall be granted to any scholar already attending the School, if the High Master reports that such scholar is rendered undeserving of it by misconduct.

Regulations as to Scholarships

10 68. The Governors shall in each year employ the net income payable to them under the provisions of a Scheme to be made under the Endowed Schools Acts for the administration of Lord Campden's Exhibitions, or such portion thereof, being as near as may be the sum of 1,000*l.*, as they deem expedient, together with such further sum as they think fit, not exceeding 1,000*l.*, in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated in the School for such time previous to the award thereof as the Governors may from time to time determine, and to be tenable at any University or other place of liberal or professional education to be approved in each case by the Governors.

Campden Exhibitions

20 69. All Exhibitions shall be tenable only for the purposes of education, general or professional. They shall be payable by instalments at such intervals as the Governors shall direct. If the holder of an Exhibition dies, his representatives shall be entitled only to the next ensuing payment of an instalment whenever payable. If the holder becomes a bankrupt, or is guilty of gross misconduct or idleness, or wilfully ceases to pursue his education, it shall be competent to the Governors to determine the Exhibition as from the last preceding payment of an instalment.

Exhibitions when voidable.

70. Subject to the provisions of this Scheme, the Governors shall from time to time make regulations for determining the number, value, period, and conditions of award and tenure of all Exhibitions, and all other matters relating to such Exhibitions.

Particulars of Exhibitions to be settled by Governors.

30

~~PART VI. APPLICATION OF INCOME.~~

~~71. The Governors may from time to time, with the sanction of the Charity Commissioners, grant a pension or retiring allowance to any teacher or officer of the School; and every accruing instalment of any such pension or allowance shall be, until paid, a charge upon the income of the School.~~

PART VI.—DEAN COLET'S GIRLS' SCHOOL.

71. The Governing Body of Dean Colet's Girls' School (hereinafter called the Governors of the Girls' School) shall consist, when complete, of 13 members, who shall be appointed as follows:

Governing Body of Dean Colet's Girls' School

40 Seven (of whom three at least shall be chosen from among the elected Governors) by the Governing Body of St. Paul's School;
Two (of whom one shall be a woman) by the London County Council;
Two (of whom one shall be a woman) by the School Board for London;
Two (who shall both be women) by the general body of the Governors of the Girls' School.

The provisions of Part III. of this Scheme shall so far as may be apply in

in the case of the Girls' School, "Governors of the Girls' School" being substituted for "Governors," and the quorum being five instead of seven.

72. The Girls' School shall be subject to the like provisions as are contained in Part IV. of this Scheme relating to St. Paul's School, *except so far as the same require that the Head Master shall be a graduate, or provide for each Governor having the privilege of nominating in every year one candidate for admission into the School, or as is otherwise herein provided.* For the purposes of this clause Part IV. shall be read as if the following modifications were made therein, namely. "Governors of the Girls' School" for "Governors," "Head Mistress" for "High Master," and "Girl" for "Boy," with any consequent modifications.

73. So soon as conveniently may be the Governors of the Girls' School shall proceed to acquire such a site, including an adequate playground, in some place situated within, or in the immediate neighbourhood of, the Administrative County of London, as shall be necessary for a school for about 400 girls.

The acquisition of a site for the school shall, so far as regards size and situation, be subject to the approval of the Charity Commissioners. So soon as any such approval has been obtained, the Governors of the Girls' School shall proceed to erect on the approved site buildings according to plans, to be subject to such approval as aforesaid, suitable for the school intended. For all or any of the above purposes they may from time to time expend such capital sums as may be sanctioned by the Charity Commissioners.

74. There shall be a Head Mistress of Dean Colet's Girls' School, who shall have such qualifications for office as the Governors of the Girls' School may think fit to prescribe.

Every Head Mistress shall be appointed by the said Governors. Every such appointment shall be made at a meeting to be called for the purpose, in the case of the first appointment as soon as conveniently may be after proper school buildings shall have been provided for the School, and in other cases as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy and invite competition by advertisements in newspapers, and by such other methods as they may think fit.

75. The fixed yearly stipend to be received by the Head Mistress of the Girls' School, apart from the capitation payment, shall be £200 a year, and the rate of the capitation payment to be received by her shall be not less than £2 nor more than £3 a year for each girl in the School, provided that when the number of scholars in the School exceeds 300 the payment of each scholar in excess of that number shall be £2 a year.

76. The rate of the tuition fees to be paid by the girls in the Girls' School shall be not less than £15 nor more than £20 a year for any girl.

77. The examination for admission to Dean Colet's Girls' School shall be graduated according to the age of the candidate, but it shall never fall below the following standard (that is to say) :—

- Reading ;
- Writing from Dictation ;
- The first four rules of Arithmetic ;
- The Geography of England ; and
- Plain Needlework.

General provisions
as for St. Paul's
School

Site and buildings

Head Mistress.

Income of
Head Mistress.

Tuition fees.

Entrance
Examination

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The Governors of the Girls' School may raise the minimum standard from time to time if they deem it advantageous for the School.

78. The subjects of secular instruction in Dean Colet's Girls' School shall be such as to give a liberal education, and shall be settled from time to time by the Governors of the Girls' School. They shall include :—

Subjects of instruction.

- 10
The English Language and Literature ;
The Latin, French and German languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
Domestic Economy ;
Calisthenics ;
Laws of Health ;
Drawing ;
Class Singing.

The said Governors shall have power to direct that arrangements be made for giving special importance to any one or more of the prescribed subjects ; but, subject to such power, the Head Mistress shall settle the arrangements and classification of instruction in the prescribed subjects.

20 79. Scholarships, each entitling the holder to exemption from the payment of tuition fees, shall be maintained in Dean Colet's Girls' School, at the rate of one such Scholarship for every 10 scholars in the School.

Scholarships at Dean Colet's School.

30 80. The Governors of the Girls' School shall in each year employ the sum of not less than £500 in the establishment and maintenance of exhibitions, to be awarded annually by open competition among girls who have been educated at Dean Colet's Girls' School for such time previous to the award thereof as the said Governors may from time to time determine, and to be tenable at any college or place for the higher education of women or at any training institution for school mistresses or governesses, or applicable for the professional training of the holder in any other way which the said Governors may expressly sanction in each individual case.

Exhibitions from Dean Colet's School.

81. The provisions in Part V. of this Scheme with regard to notice and regulations as to Scholarships, and with regard to exhibitions becoming voidable, and to particulars of exhibitions to be settled by the Governors, shall be applicable in the case of Scholarships and exhibitions in connection with the Girls' School, "Governors of the Girls' School" being substituted for "Governors."

Application of certain provisions of Part V.

PART VII.—APPLICATION OF INCOME.

40 82. The Governors and the Governors of the Girls' School respectively may from time to time, with the sanction of the Charity Commissioners, grant a pension or retiring allowance to any teacher or officer of the School under their respective management ; and every accruing instalment of any such pension or allowance shall be, until paid, a charge upon the income of such school.

Pensions.

83 83. After defraying the expenses of any legal claims which may be chargeable on the property of the School, and the cost of any ordinary repairs or improvements under their management, the Governors, and the Governors of the

Other expenses.

Girls' School respectively, shall employ the net income received by them under the provisions hereinbefore contained for the general purposes of the School in accordance with the provisions of this Scheme.

84 73. If in any year there is any residue of the income of the School **under their management** the Governors **and the Governors of the Girls' School respectively** may employ it in increasing the amount applicable to the maintenance of Assistant Teachers and of school plant or apparatus, in improving the accommodation of the school buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of the School. Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as unapplied surplus applicable exclusively to the School, and deposit in a bank ; and whenever the sums so deposited rise to 500*l.* over and above a reasonable current balance, they shall invest the same in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, for the benefit of the School. 10

PART VII.—GENERAL.

85 74. The Company or the Governors may receive any additional donations or endowments for the general purposes of the Foundation or the School **s** thereof. They may also receive donations or endowments for any special objects directed by the donors, provided that such objects are certified by the Charity Commissioners to be for the general benefit of the Foundation or of the School **s** thereof, not calculated to give privileges to any scholar without regard to merit and not otherwise inconsistent with or calculated to impede the due working of the provisions of the Scheme. 20

86 75. Any question as to the construction of this Scheme, or as to the regularity or the validity of any acts done or about to be done under this Scheme, shall be determined conclusively by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

87 76. The Charity Commissioners may from time to time, in the exercise of their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause of this Scheme, or with anything contained in the Endowed Schools Acts, 1869, 1873, and 1874 30

88 77. The Company shall cause this Scheme to be printed, and a copy to be given to every person who shall become a Governor, and to every Master, **Mistress** and Teacher appointed to the School **s** of the Foundation, and copies shall be sold at a reasonable price to all purchasers.

89 78. The date of this Scheme shall be the day on which Her Majesty by Order in Council declares her approbation of it.

Charity Commission.

24th April, 1894. 40

At a meeting of the Board held this day, at which there were present five Commissioners, of whom one was the Chief Commissioner, this Scheme was approved and directed to be submitted to the Committee of Council on Education.

I. R. FEARON,

Secretary.

Education Department,
18th August, 1894.

London,
St. Paul's School, } E. S. No. 1054.

SIR,

Adverting to your letter of the 9th instant, I am to state that the modifications in the scheme which their Lordships were prepared to propose, and which were communicated to the Governing Body at their interview with the Vice-President on the 18th ultimo, were settled after very careful consideration, and my Lords regret they are unable to reconsider the decision then arrived at.

The Scheme as amended has now been approved by the Committee of Council, and will shortly be published in the amended form as so approved.

I have the honour to be, Sir,

Your obedient Servant,

G. W. KEKEWICH.

JOHN WATNEY, Esq.,
Mercers' Hall, London, E.C.

[SCHEME OF AUGUST, 1894.]

*Approved by the Committee of Council on Education.**County—LONDON.**Endowment—ST. PAUL'S SCHOOL.*No. 765.
E. S. No. 1054.E
46405

CHARITY COMMISSION.

IN THE MATTER OF THE FOUNDATION called or known as ST. PAUL'S SCHOOL, in London, founded by Dean Colet, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March, 1876, as altered 10
by a Scheme of the Charity Commissioners of the 4th July, 1879 ; and

IN THE MATTER OF THE ENDOWED SCHOOLS ACTS, 1869, 1873, AND 1874.

SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION.

PART I.—GENERAL.

Object.

1. The object of the above-named Foundation shall be to supply liberal education for boys and girls by means of Schools in or near London.

Repeal.

2. From the date of this Scheme all the particulars which by the Endowed Schools Acts, 1869, 1873, and 1874 are capable of being hereby repealed and 20
abrogated shall, so far as relates to the management of the Foundation, but not to the vesting of the property thereof in the Wardens and Commonalty of the mystery of Mercers in the City of London, hereinafter called the Company, be repealed and abrogated.

Jurisdiction of
Visitor.

3. From the date of this Scheme all rights and powers (if any) formerly reserved or belonging to, or claimed or capable of being exercised by any body corporate, persons or person, other than Her Majesty, as visitors or visitor of the Foundation, and transferred to Her Majesty, and also any like rights and powers vested in Her Majesty on the 2nd August 1869, shall be exercised only through and by the Charity Commissioners for England and Wales. 30

Jurisdiction of
Ordinary.

4. From the date of this Scheme all jurisdiction of the Ordinary relating to or arising from the licensing of any master in any school of the Foundation shall be abolished.

5. Nothing herein contained shall affect—

- (1) The tenure by any person of any Scholarship, or of any Exhibition payable out of the endowment of the Foundation, which was held by him, or had been awarded to him, on or before the date of this Scheme :
- (2) Such interest as any teacher or officer of the Foundation appointed to his office before the 25th June 1868 may have in such office or as any person may have in any pension or compensation allowance payable out of the endowment of the Foundation and granted before the 25th June 1868.

Saving of rights
and interests.

6. Religious opinions or attendance or non-attendance at any particular form of religious worship shall not in any way affect the qualification of any person for being one of a Governing Body under this Scheme.

Religious
opinions.

7. No member of a Governing Body under this Scheme shall receive any emolument out of the income of the Foundation.

No Governor to
receive emolu-
ment.

PART II.—MANAGEMENT OF PROPERTY.

8. Save as hereinafter mentioned all the estates and property of the Foundation shall continue to be and shall be vested in the Company, and all such of the said estates and property as shall not for the time being be used or occupied for the purposes of the Schools of the Foundation shall continue to be managed by the Company, or by their Court of Assistants, or by their officers acting under their orders, according to the general law applicable to the management of property by trustees of charitable foundations. Any money arising from the sale of timber or from any mines or minerals belonging to the Foundation shall be treated as capital, and invested in any such securities as may from time to time be authorised by any Act of Parliament for the investment of trust funds, except in any special cases in which the Company may be authorised by the Charity Commissioners to apply such money or any part thereof as income.

Management of
Property.

9. All capital sums which under the provisions of this Scheme the Company may be required to raise shall be raised by them by sale or mortgage of the real or personal property of the Foundation, or by both those means, or otherwise, on such terms and subject to such conditions as may be sanctioned or prescribed by the Charity Commissioners in each case.

Raising money.

10. The Company shall make such arrangements as they think fit for the custody of all muniments, title deeds, and other documents belonging to the estates and property of the Foundation, for deposit of money, for drawing cheques, and for the appointment and payment of a Clerk and of other officers for the conduct of the business relating to the estates and property of the Foundation.

Conduct of
business.

11. The accounts of the estates and property of the Foundation shall be made up and balanced to the 31st day of December in every year. The accounts shall be signed by the Master or one of the Wardens of the Company within two calendar months after the day to which they are made up. As soon as practicable after the accounts are so signed they shall be audited.

Accounts.

12. With respect to the audit of the said accounts, the following provisions shall have effect :—

Audit.

- (1) The auditor in each year shall be appointed by the Lord Mayor of London, and shall receive such remuneration as the Company, subject to the

approval of the Charity Commissioners, may direct; and such remuneration, together with the expenses of or incident to the audit, shall be paid by the Company out of the income of the Foundation.

- (2) The audit shall be held at the office of the Company, or at some other convenient place to be named by them, and at a time to be fixed by the auditor, but to be as soon as possible after the accounts are signed.
- (3) The auditor, at least 14 days before holding the audit, shall serve on the Company, and on the Governing Body of St. Paul's School hereinafter constituted under this Scheme, notice of the time and place of holding the audit.
- (4) The Clerk of the Company, or some person authorised by them, shall attend the audit, and produce to the auditor all books, bills, vouchers, and documents relating to the accounts.
- (5) Any member of the Company, or of the said Governing Body, may be present at the audit, and object to the accounts.
- (6) The auditor shall, as nearly as may be, have the like powers and be under the like obligation to allow and disallow items in the accounts, as in the case of an audit of the accounts of the School Board for London, and the said Governing Body or any person aggrieved by the decision of the auditor shall have a right of appeal to the Charity Commissioners, whose 10
decision shall be final.
- (7) Subject to the provisions of this clause, the Charity Commissioners may from time to time make such regulations as may in their opinion be necessary respecting the form of keeping the accounts and the audit thereof.

When the auditor has completed the audit, he shall sign the balance sheet.

Statement of
Accounts.

13. The Company shall in each year cause a statement of accounts, showing their receipts and expenditure in respect of the Foundation for the preceding year, to be printed in such form, and with such particulars, as may be from time to time prescribed by the Charity Commissioners, and shall send the same within 30
30 days after the balance sheet is signed by the auditor to the Governing Body of St. Paul's School hereinafter constituted under this Scheme, and to the Charity Commissioners, and publish an advertisement thereof in two London daily newspapers, and cause copies to be sold to all applicants at a price not exceeding 3d. for each copy.

School
buildings.

14. The present and any future buildings with their sites and play-grounds used for the purposes of the School or Schools of the Foundation, shall, so long as they respectively continue to be so used, be respectively managed by the Governing Bodies of St. Paul's School and of Dean Colet's Girls' School hereinafter constituted under this Scheme without interruption by the Company. 40

Application of
income.

15. The Company may, with the sanction of the Charity Commissioners, from time to time make such donations and annual allowances or subscriptions out of the income of the estates and property of the Foundation as they may think fit, having regard to the income derived from the estates in respect of which donations or subscriptions are proposed to be made. After paying such donations or subscriptions, and after defraying the expenses of management incurred under the provisions of Parts I. and II. of this Scheme, including a reasonable sum for

providing the yearly Apposition dinner, the Company shall pay out of the net income of the Foundation to the Governing Bodies of St. Paul's School and of Dean Colet's Girls' School hereinafter constituted under this Scheme respectively, such sums as they shall require, according to the provisions of this Scheme, for the purposes of the Schools respectively, but so that the amount of income so paid shall not exceed in any one year the sum of £9,000 in the case of St. Paul's School and £2,500 in the case of Dean Colet's Girls' School exclusive in each case of the cost of ordinary repairs and of any permanent structural improvements in the buildings of the School approved by the Charity Commissioners, which may
 10 be defrayed out of the general funds of the Foundation.

16. The residue of the income of the Foundation shall be invested in the Residue.
 name of the Official Trustees of Charitable Funds to the credit of the Foundation, and shall be accumulated with a view to a further Scheme.

PART III.—GOVERNING BODY OF ST. PAUL'S SCHOOL.

17. The Governing Body of St. Paul's School (hereinafter called the Governing body
of St. Paul's
School.
 Governors) shall be constituted as follows :—
 The Masters and three Wardens of the Company for the time being, who shall be *ex-officio* Governors.

20 and Nine Governors to be appointed by the Court of Assistants of the Company ;

Elected Governors who shall be appointed :—

Three by the Hebdomadal Council of the University of Oxford.

Three by the Council of the Senate of the University of Cambridge.

Three by the Senate of the University of London.

Three by the London County Council.

The persons in office at the date of this Scheme as Governors of the Foundation appointed by any of the said electing bodies shall be entitled to remain in office under this Scheme each for the remainder only of the term for which he was appointed.

30 The following persons shall be reckoned as the Governors appointed in the first instance by the London County Council :—

The Right Honourable Robert Baron Monkswell ;

The Right Honourable Sir John Lubbock, Baronet ; and

William George Lemon, Barrister-at-Law.

40 18. Every Governor, other than the Master and Wardens of the Company, shall be appointed to hold office for five years and then retire. If during his Term and vaca-
tion of office.
 term of office any Governor, other than the Master and Wardens of the Company, becomes bankrupt or incapacitated to act, or expresses to the Governors in writing his wish to retire, or fails for the space of one year to attend any meeting, the
 40 Governors shall, after notice to such Governor at his last known place of residence in England, cause a record of the fact to be entered in their books, and notify the same to the Body by whom he was appointed ; and upon such record being entered the Governor to whom it applies shall cease to be a Governor, and thereupon, or upon the death of any Governor, other than an *ex-officio* Governor, the proper Body shall proceed to appoint a successor to the vacant place. A

Governor vacating office by retirement or non-attendance only shall not be thereby disqualified for re-appointment.

Teachers not to
be Governors.
Acceptance of
office.

19. No Teacher in the School may be a Governor.

20. Every Governor shall, at or before the first meeting he attends in that character on his first or any subsequent appointment, sign a memorandum declaring his acceptance of the office of Governor, and his willingness to do his duty as such, and to act in the trusts of this Scheme; and until he has signed such a declaration he shall not be entitled to act.

Meetings of
Governors.

21. The Governors shall from time to time summon and hold meetings in some convenient place to be fixed by themselves as often as may be found 10 necessary, and at least twice in each year, on days to be appointed by themselves.

Chairman.

22. The Governor shall, at their first meeting in every year, appoint one of their number to be their Chairman for the year, and shall make regulations for supplying the place of the Chairman in case of his death, resignation, or absence.

Quorum.

23. A quorum shall be constituted whenever seven Governors are present, and any such quorum may act notwithstanding a vacancy or vacancies in the whole number of Governors. Whenever any decision is made in favour of which less than a majority of the Governors for the time being entitled to act have voted it shall be competent to any two Governors, within seven days from the day of the decision, to demand that the decision shall be once reconsidered at a special 20 meeting, to be held at an interval of not less than 14 and not more than 21 days after the meeting at which such decision was made.

Special meetings.

24. The Chairman or any two Governors may at any time summon a special meeting for any cause that seems to him or them sufficient.

Notice.

25. All special meetings shall be convened by notice in writing to the Governors, specifying the object of the meeting. It shall be the duty of the Clerk to the Governors to give such notice when required by the Chairman or any Governors having a right to summon such a meeting.

Voting.

26. Save as herein otherwise provided, all matters and questions shall be determined by the votes of the majority of the Governors present at any meeting; 30 and, in case of equality of votes, the Chairman of the meeting shall have a second or casting vote.

Adjournment of
meetings.

27. If at any meeting there is not a sufficient number of Governors present to constitute a quorum, or if the business at any meeting is not fully completed, the Governors present may adjourn the meeting to a subsequent day, of which notice shall be given to all the Governors.

Books.

28. A minute book and proper books of account shall be provided by the Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for the purpose.

Minutes.

29. Minutes of all proceedings of the Governors shall be entered in the 40 minute book and duly signed by the Chairman of the meeting. In the same book shall be recorded the entry into office of every new Governor, and the names of all the Governors present at each meeting, whether a quorum is constituted or not.

Accounts.

30. Full accounts shall be kept of the receipts and expenditure of the Governors, and such accounts shall be stated for each year, and examined and passed annually at some meeting within the first two months of the ensuing year, and signed by the Chairman of the meeting.

31. The Governors shall in the first quarter of each year cause abstracts of the accounts for the preceding year to be prepared in such form as shall be prescribed by the Charity Commissioners. The Governors shall at the same time and in the same manner cause annual statements of the progress of the School to be prepared. Such abstracts of accounts and such statements for the past year they shall cause to be printed together and published forthwith, and shall advertise such publication in at least two London daily newspapers, and sell copies of the whole set of abstracts and statements so published at such price as they shall think fit, not exceeding 6*d.* for each copy, to all applicants.
- 10 32. The Governors shall make arrangements for the custody of all documents, for deposit of money, for drawing cheques, and for the appointment of a Clerk for the conduct of their business. Publication of abstracts and reports.
Custody of documents and appointment of Clerk.
33. The property of the Foundation, so far as the management thereof is under the provisions of this Scheme vested in the Governors, shall be managed by them or by their officers acting under their orders, according to the general law applicable to the management of property by trustees of charitable foundations. Management.
34. In order to raise any capital sum which the Governors may from time to time be authorised to expend under the provisions of this Scheme, the Governors may serve their precept on the Company requiring them to raise the same in manner hereinbefore provided, and the Company shall forthwith proceed to raise and pay the same to the Governors accordingly. If any doubt arises as to the validity of any precept, the Company or the Governors may refer the question to the Charity Commissioners, whose decision shall be final. Precept for raising money.
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PART IV.—ST. PAUL'S SCHOOL.

35. The present school shall be maintained in the present buildings as a Classical School with a modern department, and, if the Governors think fit, with other departments; but any such department or departments shall be part of the School, and shall be under the sole supervision and control of the High Master as hereinafter provided. It shall be a School for boys as day scholars, but the Governors shall have power to admit boys boarding in such of the houses of Masters, or in such other houses, as may from time to time be approved by the Governors. School buildings.
36. There shall be a Head Master of the School, who shall be called the High Master. He shall be a graduate of some University in the United Kingdom. Head Master.
37. No person shall be disqualified from being a Master in the School by reason only of his not being, or not intending to be, in Holy Orders. Holy Orders.
38. Subject to the provisions hereinafter contained, the Governors and the High Master shall make proper provision for religious instruction in the School; and such religious instruction shall be in accordance with the principles of the Church of England. Religious instruction.
- 40 39. No alteration in any regulations made by the Governors respecting the religious instruction given in the School shall take effect until the expiration of not less than one year after notice of the making of the alteration is given. Endowed Schools Act, 1873, s. 11.
40. The parent or guardian of, or person liable to maintain or having the actual custody of, any day scholar in the School may claim by notice in writing Endowed Schools Act, 1869, s.s. 15 and 16.

addressed to the High Master the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such scholar shall be exempted accordingly ; and a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantages or emoluments in the School or out of any endowment affected by this Scheme to which he would otherwise have been entitled

If the parent or guardian of, or person liable to maintain or having the actual custody of, any scholar who is about to attend the School, and who but for this clause could only be admitted as a boarder, desires the exemption of such scholar 10
from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, but the persons in charge of the boarding houses of the School are not willing to allow such exemption, then it shall be the duty of the Governors to make proper provisions for enabling the scholar to attend the School, and have such exemption as a day scholar, without being deprived of any advantage or emolument to which he would otherwise have been entitled.

If any Teacher in the course of other lessons at which any scholar exempted under this clause is in accordance with the ordinary rules of the School present teaches systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as provided by this clause, the 20
Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of.

Appointment of
High Master.

41. The present High Master of St. Paul's School, Mr. Frederick William Walker, shall, if willing, continue to hold the office of High Master of the same School under this Scheme. Every High Master hereafter to be appointed shall be appointed by the Governors. Every such appointment shall be made at a meeting to be called for the purpose, as soon as conveniently may be after the 30
occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the Governors shall for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers, and by such other methods as they may think fit.

Dismissal with-
out assigning
cause.

42. The Governors may dismiss the High Master without assigning cause after six calendar months' written notice, given in pursuance of a resolution, passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter. 40

Dismissal for
urgent cause.

43. For urgent cause the Governors may by a resolution passed by a majority of votes of the whole number of Governors for the time being entitled to act, at a meeting duly convened for the special purpose of considering the matter, suspend the High Master from office, and in that case they shall appoint another special meeting to be held at an interval of not less than a fortnight after the former one, and may then, by a resolution, likewise passed by a majority of votes of the whole number of Governors for the time being entitled to act, wholly and finally dismiss

him. Full notice and opportunity of defence at both meetings shall be given to the High Master.

44. Every High Master, previously to entering into office, shall be required to sign a declaration to be entered in the minute book of the Governors, in the following form :—

Declaration by
High Master.

“ I, _____ declare that I will always, to the best of my ability, discharge the duties of High Master of St. Paul’s School during my tenure of office, and that if I am removed by the Governors, according to the constitution of the said School, I will acquiesce in such removal and will thereupon relinquish all claim to the office and its future emoluments and deliver up to the Governors or as they direct, possession of all their property then in my possession or occupation.”

45. The High Master shall dwell in the residence (if any) assigned for him. The High Master shall have the occupation and use of such residence, and of any other property of the Foundation of which he may become occupant, in respect of his official character and duties, and not as tenant ; and shall, if removed from office, thereupon deliver up possession of such residence and other property to the Governors or as they may direct. He shall not, except with permission of the Governors, allow any person to occupy his official residence or any part thereof.

Occupation of
trust property by
High Master.

46. The High Master shall give personal attention to the duties of the School. The High Master shall not hold any office or appointment which, in the opinion of the Governors, may interfere with the proper performance of his duties under the trusts of this Scheme, nor shall he hold any benefice having the cure of souls.

Personal atten-
tion of High
Master.

47. No Teacher in the School shall receive or demand from any scholar or from any person whomsoever on behalf of any scholar any gratuity, or payment, other than such payments as are prescribed or authorised by this Scheme.

No gratuities to
Teachers.

48. Within the limits fixed by this Scheme the Governors shall prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the division of the year into term and vacation, the payments of the scholars, and the number of school hours in each week, and of holidays to be given in each term. They shall take general supervision of the sanitary condition of the school buildings and arrangements. They shall from time to time determine what number of Assistant Masters or Teachers shall be employed in the School. They shall every year assign to the School the amount to be paid out of the income thereof for the salaries of the teaching staff, and for the provision of a proper plant or apparatus for carrying on the instruction given in the School.

Jurisdiction of
Governors over
scholastic
arrangements.

49. Before acting under the last preceding clause the Governors shall in all cases consult the High Master in such a manner as to give him full opportunity for the expression of his views:

Governors to
consult High
Master.

50. Subject to the rules prescribed by or under the authority of this Scheme, the High Master shall have under his control the method of teaching, the arrangements of classes and school hours, and generally the whole internal organisation, management, and discipline of the School, and shall have authority over all scholars attending the same in all places and at all times during the

Jurisdiction of
High Master.

school terms : Provided that if the High Master expels a scholar from the School he shall forthwith make a full report of the case in writing to the Governors.

Appointment and
removal of
Assistant
Teachers.

51. The High Master shall have the sole power of appointing and of dismissing all Assistant Teachers in the School, but shall forthwith notify every appointment in writing to the Governors. The High Master shall determine, subject to the approval of the Governors, in what manner the sum assigned by the Governors to the School for Assistant Teachers and for plant or apparatus shall be distributed. The Governors shall pay the sum assigned, either through the hands of the High Master or directly as they think best.

High Master
may submit
proposals.

52. The High Master may from time to time submit proposals to the Governors for making or altering regulations as to any matters within his province, and the Governors shall consider such proposals and decide upon them. 10

Income of High
Master.

53. The High Master shall receive a fixed stipend of £300 a year. He shall also be entitled to receive a further or capitation payment calculated on such a scale, uniform or graduated, and at such a rate as may from time to time be fixed by the Governors, being not less than £2, nor more than £5 a year for each scholar attending the School, provided that, when the number of scholars exceeds 300, the payment for each scholar in excess of that number shall be £2 yearly. All payments under this clause shall be made terminally or quarterly, as the Governors shall think fit.

To whom School
is open.

54. Subject to the regulations made by or under the authority of this Scheme the School and all its advantages shall be open to all boys who are of good character and of sufficient bodily health, and who are residing with their parents, guardians, or near relations within degrees of kindred to be fixed by the Governors, or in exceptional cases with such other persons as the Governors may approve, or who are boarders under the provisions of this Scheme. 20

Mode of admis-
sion.

55. Applications for admission to the School shall be made to some person appointed by the Governors according to a printed form to be by them approved and delivered to all applicants for admission.

Register of
applications.

56. A register shall be kept of all applications showing the date at which every application is made for the admission of a scholar, the date of admission, withdrawal, or rejection, the cause of rejection, and the age of the candidate at the date of the application : Provided that every person requiring an application to be registered shall pay such fee as the Governors may fix, not exceeding 10s. 30

Entrance
examination.

57. Every candidate for admission into the School shall be examined by or under the direction of the High Master, who shall appoint convenient times for that purpose, and give reasonable notice thereof in writing to the parents or guardians of those whose turn is approaching. No scholar shall be admitted to the School except after passing such examination. Those who are found fit shall, if there is room for them, be admitted in order according to the dates of their application : Provided nevertheless, that each Governor shall have the privilege of nominating in every year one candidate for admission into the School, and every candidate so nominated, if found fit and otherwise admissible, shall be entitled to priority of admission over all candidates not so nominated. 40

Entrance and
tuition fees.

58. Except as is herein otherwise expressly provided, each scholar shall pay such entrance and tuition fees as the Governors shall fix from time to time, provided that no such entrance fee shall be more than £5, and no such tuition fee

shall be less than £20 or more than £30 a year. No preference shall be given to any scholar in respect of such fees on account of his place of birth or residence. No extras of any kind shall be allowed without the sanction of the Governors and written consent on behalf of the scholar concerned.

59. All payments for entrance and tuition shall be made in advance in such manner and to such person as the Governors shall from time to time appoint for the purpose, and shall be accounted for by the person receiving them to the Governors, and treated by them as part of the income of the Foundation applicable to the benefit of the School. Payments to be made in advance.

10 60. The Governors shall make regulations from time to time for fixing the age of admission to the School. No scholar shall be allowed to remain in the School beyond the end of the school term or half year in which he attains the age of 19 years, except with the permission of the Governors, which in special cases may be given upon the written recommendation of the High Master. *even* The High Master shall be at liberty to make regulations for the withdrawal of scholars in cases where from idleness or incapacity to profit by the instruction given they are materially below the standard of position and attainment proper for their age. Ages of scholars.

61. There shall be once in every year an examination of the scholars by an Examiner or Examiners, or by an Examining Body, appointed for that purpose Annual Examination.
20 by the Governors, and paid by them, but otherwise unconnected with the School. [In any year the Charity Commissioners may by an Order direct that the Examiner or Examiners shall for that year be appointed in any other manner, and the Examiner or Examiners shall for that year be appointed in the manner so directed.] [The day of examination shall be fixed by the Governors after consulting the High Master.] The Examiner or Examiners shall make a report in writing to the Governors on the proficiency of the scholars and on the position of the School as regards instruction and discipline, as shown by the results of the examination. The Governors shall communicate the report to the High Master, and shall send a copy of it to the Charity Commissioners.]

30 62. The High Master shall make an annual report in writing to the Governors on the general condition of the School, and on any special occurrences during the year. He may also mention the names of any scholars who in his judgment are worthy of praise or substantial reward, having regard both to proficiency and to conduct. Annual Report of High Master.

63. The examination for admission to the School shall be graduated according to the age of the candidates, but it shall never fall below the following standard (that is to say) :— Entrance Examination.

- 40 Reading ;
 Writing from dictation ;
 The first four rules of Arithmetic ;
 The Geography of England ;
 The outlines of English History ; and
 The elements of Latin Grammar.

The Governors may raise the minimum standard from time to time if they deem it advantageous for the School.

64. The subjects of secular instruction in the School shall be as follows :— Subjects of instruction.
English, Latin, and Greek languages and literatures ;

Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
French and German ;
Drawing ;
Vocal Music ;
Drill and other physical exercises.

In the Modern Department special attention shall be directed to Mathematics, Modern Languages and Experimental Science.

The Governors shall have power to add other subjects to the above list, and to direct that arrangements be made for giving special importance to any one or more of the subjects ; but subject to such power the High Master shall settle the arrangements and classification of instruction in the prescribed subjects.

PART V.—SCHOLARSHIPS AND EXHIBITIONS.

Scholarships.

65. There shall be 153 scholars on the Foundation in the School. The Foundation Scholarships shall be awarded according to the result of competitive examination as to one third to candidates between the ages of 12 and 14 years on the first day of the examination, whether attending the school or not, and as to the rest under such regulations as the Governors may make from time to time. The subjects of such examination and their relative value shall be considered and approved by the Governors, and as regards one-third of the Scholarships special weight shall be attached to subjects proper to the Modern Department, and Greek shall not be required. Holders of Scholarships shall be granted exemption from the payment of tuition fees, and the Governors may award to any holder of a Scholarship, who in their opinion is fitted by his circumstances to receive such benefits, sums of money not exceeding 20*l.* in any one year to any one scholar.

Notice as to Scholarships.

66. Reasonable notice by advertisement in the public newspapers shall be given of the dates and subjects of examination for all Scholarships open to candidates not attending the School and of the number to be awarded at such examination.

Regulations as to Scholarships.

67. The Governors shall make regulations from time to time for determining the period of tenure of Scholarships. Every Scholarship shall be awarded by free and open competition and shall be liable to forfeiture on the order of the Governors in case the High Master reports that the holder is guilty of misconduct, is irregular in attendance, or fails to maintain a reasonable standard of proficiency ; and no such Scholarship shall be granted to any scholar already attending the School, if the High Master reports that such scholar is rendered undeserving of it by misconduct.

Campden Exhibitions.

68. The Governors shall in each year employ the net income payable to them under the provisions of a Scheme to be made under the Endowed Schools Acts for the administration of Lord Campden's Exhibitions, or such portion thereof, being as near as may be the sum of 1,000*l.*, as they deem expedient, together with such further sum as they think fit, not exceeding 1,000*l.* in the establishment and maintenance of Exhibitions to be awarded annually by open competition among boys who have been educated in the School for such time previous to the award thereof as the Governors may from time to time determine,

and to be tenable at any University or other place of liberal or professional education to be approved in each case by the Governors.

69. All Exhibitions shall be tenable only for the purposes of education, general or professional. They shall be payable by instalments at such intervals as the Governors shall direct. If the holder of an Exhibition dies, his representatives shall be entitled only to the next ensuing payment of an instalment whenever payable. If the holder becomes a bankrupt, or is guilty of gross misconduct or idleness, or wilfully ceases to pursue his education, it shall be competent to the Governors to determine the Exhibition as from the last preceding payment of an instalment.

Exhibitions when voidable.

70. Subject to the provisions of this Scheme, the Governors shall from time to time make regulations for determining the number, value, period, and conditions of award and tenure of all Exhibitions, and all other matters relating to such Exhibitions.

Particulars of Exhibitions to be settled by Governors.

PART VI.—DEAN COLET'S GIRLS' SCHOOL.

71. The Governing Body of Dean Colet's Girls' School (hereinafter called the Governors of the Girls' School) shall consist, when complete, of thirteen members, who shall be appointed as follows :—

Governing Body of Dean Colet's Girls' School.

20 Seven (of whom three at least shall be chosen from among the Elected Governors) by the Governing Body of St. Paul's School ;

Two (of whom one shall be a woman) by the London County Council ;

Two (of whom one shall be a woman) by the School Board for London ;

Two (who shall both be women) by the general body of the Girls' School ;

The provisions of Part III. of this Scheme shall, so far as may be, apply in the case of the Girls' School, "Governors of the Girls' School" being constituted for "Governors," and the quorum being five instead of seven.

30 72. The Girls' School shall be subject to the like provisions as are contained in Part IV. of this Scheme relating to St. Paul's School, *except so far as the same require that the Head Master shall be a graduate, or provide for each Governor having the privilege of nominating in every year one candidate for admission into the School, or as is otherwise herein provided.* For the purposes of this clause Part IV. shall be read as if the following modifications were made therein, namely, "Governors of the Girls' School" for "Governors," "Head Mistress" for "High Master," and "girl" for "boy," with any consequent modifications.

General provisions as for St. Paul's School.

73. So soon as conveniently may be the Governors of the Girls' School shall proceed to acquire such a site, including an adequate play-ground, in some place situated within, or in the immediate neighbourhood of, the administrative county of London, as shall be necessary for a School for about 400 girls.

Site and buildings.

40 The acquisition of a site for the School shall, so far as regards size and situation, be subject to the approval of the Charity Commissioners. So soon as any such approval has been obtained the Governors of the Girls' School shall proceed to erect on the approved site buildings, according to plans to be subject to such approval as aforesaid, suitable for the School intended. For all or any of the above purposes they may, from time to time, expend such capital sums as may be sanctioned by the Charity Commissioners.

74. There shall be a Head Mistress of Dean Colet's Girls' School, who shall

Head Mistress.

have such qualifications for office as the Governors of the Girls' School may think fit to subscribe.

Every Head Mistress shall be appointed by the said Governors. Every such appointment shall be made at a meeting to be called for the purpose, in the case of the first appointment as soon as conveniently may be after proper school buildings shall have been provided for the School, and in other cases as soon as conveniently may be after the occurrence of a vacancy, or after notice of an intended vacancy. In order to obtain the best candidates the said Governors shall, for a sufficient time before making any appointment give public notice of the vacancy, and invite competition by advertisements in newspapers, and by such other methods as they 10 may think fit.

Income of Head
Mistress.

75. The fixed yearly stipend to be received by the Head Mistress of the Girls' School, apart from the capitation payment, shall be £200 a year, and the rate of the capitation payment to be received by her shall be not less than £2 nor more than £3 a year for each girl in the School, provided that when the number of scholars in the School exceeds 300 the payment of each scholar in excess of that number shall be £2 a year.

Tuition fees.

76. The rate of the tuition fees to be paid by the girls in the Girls' School shall be not less than £15 nor more than £20 a year for any girl.

Entrance
examination.

77. The examination for admission to Dean Colet's Girls' School shall be 20 graduated according to the age of the candidate, but it shall never fall below the following standard (that is to say):—

Reading ;
Writing from dictation ;
The first four rules of Arithmetic ;
The Geography of England ; and
Plain Needlework.

The Governors of the Girls' School may raise the minimum standard from time to time if they deem it advantageous for the School.

Subjects of
instruction.

78. The subjects of secular instruction in Dean Colet's Girls' School shall 30 be such as to give a liberal education, and shall be settled from time to time by the Governors of the Girls' School. They shall include :—

The English language and literature ;
The Latin, French, and German languages and literatures ;
Arithmetic and Mathematics ;
History and Geography ;
Natural Science ;
Domestic Economy ;
Calisthenics ;
Laws of Health ;
Drawing ;
Class Singing.

40

The said Governors shall have power to direct that arrangements be made for giving special importance to any one or more of the prescribed subjects ; but, subject to such power, the Head Mistress shall settle the arrangements and classification of instruction in the prescribed subjects.

Scholarships at
Dean Colet's
Girls' School.

79. Scholarships, each entitling the holder to exemption from the payment

of tuition fees, shall be maintained in Dean Colet's Girls' School, at the rate of one such scholarship for every ten scholars in the School.

80. The Governors of the Girls' School shall in each year employ the sum of not less than £500 in the establishment and maintenance of Exhibitions, to be awarded annually by open competition among girls who have been educated at Dean Colet's Girls' School, for such time previous to the award thereof as the said Governors may from time to time determine, and to be tenable at any college or place for the higher education of women, or at any training institution for school mistresses or governesses, or applicable for the professional training of the holder in any other way which the said Governors may expressly sanction in each individual case.

Leaving Exhibitions from Dean Colet's Girls' School.

81. The provisions in Part V. of this Scheme with regard to notice and regulations as to Scholarships and with regard to Exhibitions becoming voidable and to particulars of Exhibitions to be settled by the Governors shall be applicable in the case of Scholarships and Exhibitions in connection with the Girls' School, "Governors of the Girls' School" being substituted for "Governors."

Application of certain provisions of Part V.

PART VII.—APPLICATION OF INCOME.

82. The Governors and the Governors of the Girls' School respectively may from time to time, with the sanction of the Charity Commissioners, grant a pension or retiring allowance to any teacher or officer of the School under their respective management, and every accruing instalment of any such pension or allowance shall be, until paid, a charge upon the income of such School.

Pensions.

83. After defraying the expenses of any legal claims which may be chargeable on the property of the School under their management, the Governors and the Governors of the Girls' School respectively shall employ the net income received by them under the provisions hereinbefore contained for the general purposes of the School in accordance with the provisions of this Scheme.

Other expenses.

84. If in any year there is any residue of the income of the School under their management, the Governors, and the Governor of the Girls' Schools respectively may employ it in increasing the amount applicable to the maintenance of Assistant Teachers and of school plant or apparatus, in improving the accommodation of the school buildings, in aiding the games of the scholars, or generally in promoting the spirit and efficiency of the School. Whatever they do not think fit to spend in these ways they shall on passing the yearly accounts state as unapplied surplus applicable exclusively to the School, and deposit in a bank; and whenever the sums so deposited rise to £500 over and above a reasonable current balance, they shall invest the same in the name of the Official Trustees of Charitable Funds to the credit of the Foundation, for the benefit of the School.

Residue.

Unapplied surplus.

PART VIII.—GENERAL.

85. The Company or the Governors may receive any additional donations or endowments for the general purposes of the Foundation or the Schools thereof. They may also receive donations or endowments for any special objects directed by the donors, provided that such objects are certified by the Charity Commissioners to be for the general benefit of the Foundation or of the Schools thereof, not calcu-

Further endowments.

lated to give privileges to any scholar without regard to merit, and not otherwise inconsistent with or calculated to impede the due working of the provisions of this Scheme.

Charity Com-
missioners to
decide doubtful
questions.

86. Any question as to the construction of this Scheme, or as to the regularity or the validity of any acts done or about to be done under this Scheme, shall be determined conclusively by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

Charity Com-
missioners to
make new
Schemes.

87. The Charity Commissioners may from time to time, in the exercise of their ordinary jurisdiction, frame Schemes for the alteration of any provisions of this Scheme, provided that such Schemes be not inconsistent with the first clause 10 of this Scheme, or with anything contained in the Endowed Schools Acts, 1869, 1873, and 1874.

Scheme to be
printed and sold.

88. The Company shall cause this Scheme to be printed and a copy to be given to every person who shall become a Governor, and to every Master, Mistress, and Teacher appointed to the Schools of the Foundation, and copies shall be sold at a reasonable price to all purchasers.

Date of scheme.

89. The date of this Scheme shall be the day on which Her Majesty by Order in Council declares her approbation of it.

ST. PAUL'S SCHOOL.

Founded by Dean Colet A.D. 1509.

HONOURS FROM 1887 TO 1895.

THE following preface was written by the late Master of Balliol, at whose suggestion this list was originally compiled. It has since been enlarged and brought up to the present date.

"The friends of St. Paul's School venture to draw the attention of those who are likely to be interested in the matter, to the following List of Honours gained at the Universities of Oxford and Cambridge by the Scholars of the School during the last seven years. They do not wish to suggest any rivalry or comparison with other schools; and they are well aware that University success is not the only, or perhaps the best test of an Educational Institution. But they think that this List of Honours shows conclusively that a great benefit has been conferred on the Higher Education of London under the present constitution of the School, and they can see no reason why a system which has worked hitherto so beneficially should be interfered with by external authority."

ST. PAUL'S SCHOOL,
February, 1895.

LIST OF HONOURS AND DISTINCTIONS.

THE UNIVERSITIES.

FELLOWSHIPS AND TUTORSHIPS.

OXFORD.

C. R. BEAZLEY, Fellow of Merton College, 1889.
Rev. A. L. MOORE, Fellow of Magdalen College, 1889.
C. M. MULVANY, Fellow of Magdalen College, 1891.
W. M. GELDART, Fellow of St. John's College, 1892.
Rev. S. A. ALEXANDER, Tutor of Keble College, 1892.
F. H. DALE, Fellow of Merton College, 1894.
C. BAILEY, Fellow of Exeter College, 1894.

CAMBRIDGE.

H. W. WALLIS, Fellow of Caius College, 1887.
E. ABBOTT, Fellow of Jesus College, 1890.
A. L. BROWN, Tutor of Selwyn College, 1889.
G. T. WALKER, Fellow of Trinity College, 1891.
A. B. COOK, Fellow of Trinity College, 1893.

UNIVERSITY SCHOLARSHIPS.

OXFORD.

DERBY SCHOLARSHIPS.

R. L. A. DU PONTET 1892
W. M. GELDART 1893

IRELAND SCHOLARSHIPS.

J. M. SCHULHOF 1886
W. M. GELDART 1889
R. J. WALKER 1890
F. H. B. DALE 1892

And Four Honourable Mentions.

HERTFORD SCHOLARSHIPS.

R. J. WALKER 1887
R. L. A. DU PONTET 1888
W. M. GELDART 1889
C. BAILEY 1891
V. M. C. TROTTER 1893
C. A. DU PONTET 1894

And Six Honourable Mentions.

CAMBRIDGE.

CRAVEN SCHOLARSHIP.

A. B. COOK 1889

BATTIE SCHOLARSHIP.

J. F. DOBSON 1895

SHEEPHANKS ASTRONOMICAL EXHIBITION.

G. T. WALKER 1888

BELL SCHOLARSHIP.

E. ABBOTT 1887

F. M. CORNFORD 1893

BROWNE SCHOLARSHIP.

E. ABBOTT 1889

BARNES SCHOLARSHIP.

G. T. WALKER 1887

J. H. STAMP 1891

UNIVERSITY SCHOLARSHIPS (*continued*)—

OXFORD.

CAMBRIDGE

CRAVEN SCHOLARSHIPS.

J. M. SCHULHOF	...	...	...	...	1886
C. M. MULVANY	...	...	...	...	1888
R. J. WALKER	...	...	...	...	1888
W. M. GELDART	...	...	...	...	1889
R. L. DU PONTET	...	...	...	...	1890
F. H. DALE	...	...	...	...	1891
C. BAILEY	...	...	...	...	1891

And Three Honourable Mentions.

TAYLOR SCHOLARSHIP.

R. L. A. DU PONTET (French)	...	...	...	1889
W. M. GELDART (German)	1891

DENYER AND JOHNSON THEOLOGICAL SCHOLARSHIP.

S. A. ALEXANDER	1890
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BODEN SANSKRIT SCHOLARSHIP.

W. M. GELDART	1891
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ELDON LAW SCHOLARSHIP.

W. M. GELDART	1894
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LIDDON MEMORIAL SCHOLARSHIP.

H. N. BATE	1893
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UNIVERSITY PRIZES.

NEWDIGATE PRIZE.

S. A. ALEXANDER	1887
R. L. BINYON	1890

CHANCELLOR'S PRIZES.

Latin Prose.

R. L. A. DU PONTET	1892
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Latin Verse.

R. L. A. DU PONTET	1890
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English Essay.

P. F. ROWLAND	1894
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GAISFORD PRIZES.

Greek Prose.

F. W. HALL	1888
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Greek Verse.

F. W. HALL	1887
R. L. A. DU PONTET	1889
W. M. GELDART	1890

HALL AND HALL HOUGHTON PRIZES.

*Senior and Junior Greek Testament Prizes, and
Senior and Junior Septuagint Prizes.*

S. A. ALEXANDER	1886-1891
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LOTHIAN HISTORICAL PRIZE.

C. R. BEAZLEY	1889
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CHANCELLOR'S CLASSICAL MEDALS.

E. ABBOTT	1890
A. B. COOK	1891
J. H. STAMP	1894

CHANCELLOR'S MEDAL FOR ENGLISH VERSE.

A. B. COOK	1889
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POWIS MEDAL FOR LATIN VERSE.

E. V. FLEMING	1891
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CARUS GREEK TESTAMENT PRIZE.

A. R. F. HYSLOP	1887
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SIR WILLIAM BROWNE'S MEDALS.

Latin Ode.

J. H. STAMP	1892
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Greek Epigram.

A. E. BERNAYS	1895
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DISTINGUISHED IN SMITH'S PRIZE COMPETITION.

G. T. WALKER	1891
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MEMBERS' PRIZE.

Latin Essay.

A. B. COOK	1892
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FIRST CLASSES AND WRANGLERS.

OXFORD (FIRST CLASSES).

FINAL SCHOOL (LITT. HUM.).

J. M. SCHULHOF	1887
S. A. ALEXANDER	...	...	...	...	1889
F. W. HALL	...	...	...	...	1890
C. M. MULVANY	...	...	...	...	1890
W. M. GELDART	...	...	...	...	1892
H. N. BATE	...	...	...	...	1893
10 C. BAILEY	...	...	...	...	1894
F. H. DALE	...	...	...	...	1894

FINAL SCHOOL (MODERN HISTORY).

C. R. BEAZLEY	1889
V. G. CRAWLEY	1891
J. B. RYE	1892

FINAL SCHOOL (NATURAL SCIENCE).

T. H. BUTLER	1893
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MODERATIONS (CLASSICS).

20 S. A. ALEXANDER	1887
F. W. HALL	1888
C. M. MULVANY	1888
V. G. CRAWLEY	1889
R. L. A. DU PONTET	...	...	...	...	1889
R. J. WALKER	...	...	...	...	1889
R. L. BINYON	...	...	...	...	1890
W. M. GELDART	...	...	...	...	1890
H. N. BATE	...	...	...	...	1891
L. J. HEWBY	...	...	...	...	1891
C. BAILEY	...	...	...	...	1892
30 F. H. DALE	...	...	...	...	1892
H. L. BRAIDWOOD	...	...	...	...	1893
J. C. FERGUSON	...	...	...	...	1893
P. W. SERGEANT	...	...	...	...	1893
G. H. ALLEN	...	...	...	...	1894
S. P. BUNTING	...	...	...	...	1894
A. L. EMANUEL	...	...	...	...	1894
H. O. STUTCHBURY	...	...	...	...	1894

MODERATIONS (MATHEMATICS).

C. SANDBERG	1892
40 J. F. HUDSON	1893

CAMBRIDGE.

SENIOR WRANGLER.

G. T. WALKER	1889
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WRANGLERS.

H. E. SOPER (14th)	1887
H. H. HARRIS (8th)	1888
H. M. LARNER (26th)	1888
G. D. TRIPP (19th)	1890
A. E. STAMP (4th)	...	...	...	...	1891
L. TUBBS (25th)	...	...	...	...	1892
P. J. VINTER (32nd)	...	...	...	...	1893
P. T. STEPHENSON (18th)	1893

FIRST CLASS IN MATHEMATICAL TRIPOS,

PART II.

G. T. WALKER	1890
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FIRST CLASSES IN CLASSICAL TRIPOS,

PART I.

A. R. F. HYSLOP	1888
R. D. BOX	1888
W. N. JUST	1888
E. ABBOTT	...	...	...	...	1889
A. B. COOK	...	...	...	...	1889
A. E. POPE	...	...	...	...	1890
J. V. LYLE	...	...	...	...	1890
J. LUPTON	...	...	...	...	1891
E. V. FLEMING	...	...	...	...	1891
J. H. STAMP	...	...	...	...	1892
F. G. FOWLER	...	...	...	...	1892
A. A. GHOSE	...	...	...	...	1892

FIRST CLASSES IN CLASSICAL TRIPOS,

PART II.

R. S. HAYDON	...	...	...	...	1887
A. L. BROWN	...	...	...	...	1888
A. R. F. HYSLOP	...	...	...	...	1889
A. V. COOK	...	...	...	...	1891
J. LUPTON	...	...	...	...	1892
J. H. STAMP	...	...	...	...	1894

FIRST CLASSES IN NATURAL SCIENCE
TRIPOS, PART I.

H. DE HAVILLAND	...	...	...	...	1889
H. SLADE	...	...	...	...	1890
A. R. COOK	...	...	...	...	1891
A. E. JEAFFRESON	1894

FIRST CLASS IN NATURAL SCIENCE
TRIPOS, PART II.

A. R. COOK	1893
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STUDENTSIPS, &c.

H. T. E. BARLOW, Naden Divinity Student- ship, St. John's College, Cambridge...	1887
II. A. STRONG, Hutchinson Sanskrit Student- ship, St. John's College, Cambridge...	1887
W. M. GELDART, Jenkyns Exhibition, Balliol College, Oxford...	1891

J. LUPTON, Naden Divinity Studentship, St. John's College, Cambridge...	1893
J. LUPTON, Naden Divinity Studentship, St. John's College, Cambridge...	1895

OPEN SCHOLARSHIPS AND EXHIBITIONS AT THE COLLEGES IN THE UNIVERSITIES.

In the year 1886-7	...	...	...	22	In the year 1892-3	...	...	...	16
" " " 1887-8	...	...	...	17	" " " 1893-4	...	...	...	32
" " " 1888-9	...	...	...	18	1894 to February, 1895	...	...	...	24
" " " 1889-90	...	...	...	15					
" " " 1890-1	...	...	...	19	From 1886 to February, 1895	...	Total	181	
" " " 1891-2	...	...	...	18					

OPEN ENTRANCE SCHOLARSHIPS AT THE LONDON HOSPITALS.

S. G. TIPPETT	...	Westminster	...	1890	A. J. MALCOLM	...	St. Mary's	...	1892	
A. T. WHITE	...	Westminster	...	1890	C. G. SELIGMANN	...	St. Thomas'	...	1892	10
H. C. CROUCH	...	St. Thomas'	...	1890	R. P. WILLIAMS	...	King's College	...	1892	
F. H. GERVIS	...	St. Thomas'	...	1891	J. B. CHRISTIAN	...	St. George's	...	1892	

HOME CIVIL SERVICE.—FIRST DIVISION CLERKSHIPS.

V. G. CRAWLEY	...	...	...	1891	J. V. LYLE	...	...	...	1893
E. V. FLEMING	...	...	...	1893	L. J. HEWBY	...	...	...	1895
A. E. STAMP	...	...	...	1893					

INDIAN CIVIL SERVICE.—ADMISSIONS.

P. HARRISON	...	...	...	1887	C. M. KING (3rd place)	...	...	...	1890	
H. E. L. DUPERNEX	...	...	...	1887	A. A. GHOSE	...	...	...	1890	
T. D. FRY	...	...	...	1887	E. R. BLENKINSOP	...	...	...	1890	20
G. E. R. G. BROWN	...	...	...	1887	A. L. MARTIN-WOOD	...	...	...	1890	
F. S. TABOR	...	...	...	1888	A. E. THOMAS	...	...	...	1890	
E. FORD	...	...	...	1888	G. M. BALTHASAR	...	...	...	1891	
J. B. BRUNYATE (1st place)	...	...	...	1889	A. W. McNAIR	...	...	...	1891	
E. H. LEGGATT	...	...	...	1889	G. W. HATCH	...	...	...	1891	
J. R. PEARSON (2nd place)	...	...	...	1890	R. H. L. CLARKE (3rd place)	...	...	...	1892	

INDIAN FOREST SERVICE.—ADMISSIONS.

H. F. WOOD	...	...	...	1890	F. F. CHANNER	...	...	...	1894
E. P. STEBBING	...	...	...	1890					

ROYAL MILITARY ACADEMY, WOOLWICH.—ADMISSIONS.

A. M. HENNIKER (4th place)	...	June, 1887	E. L. HARDCASTLE	...	...	June, 1891	
J. E. L. BRUCE	...	June, 1887	J. B. CORRY (2nd place)	...	...	November, 1891	
C. F. BISHOP	...	June, 1887	S. V. SCHOFIELD	...	...	November, 1891	
W. H. B. JACOB	...	November, 1887	B. DICKSON	...	...	November, 1891	
R. F. JELLEY (5th place)	...	June, 1888	A. L. JACOB	...	...	November, 1891	
H. E. B. BOULTON	...	June, 1888	K. B. WILLIAMSON	...	...	June, 1892	
C. L. R. GRAY	...	June, 1888	C. J. HEATH	...	...	June, 1892	
J. H. LAWRENCE-ARCHER	...	June, 1888	L. B. MILLINGTON (3rd place)	...	...	November, 1892	
M. G. E. MANIFOLD	...	November, 1888	W. D. ALEXANDER	...	...	November, 1892	
S. S. BROWNE	...	November, 1888	G. H. WILLIS	...	...	November, 1892	40
S. MILDRED (3rd place)	...	June, 1889	L. ROSE	...	...	November, 1892	
H. HILDYARD	...	June, 1889	J. S. MAIDLOW	...	...	November, 1892	
D. E. FORMAN	...	November, 1889	J. A. ROBINSON	...	...	November, 1892	
C. M. STULPNÄGEL	...	November, 1889	G. S. TOVEY	...	...	June, 1893	
E. C. MIDWINTER	...	June, 1890	E. F. CALTHROP	...	...	June, 1893	
C. N. BUZZARD	...	June, 1890	F. A. BUZZARD	...	...	June, 1893	
H. D. PEARSON	...	June, 1890	H. W. H. BEYTS	...	...	June, 1893	
H. S. SELIGMAN	...	June, 1890	R. HENVEY	...	...	November, 1893	
T. E. KELSALL (10th place)	...	November, 1890	R. H. THOMAS	...	...	June, 1894	
A. J. TAYLOR	...	November, 1890	J. A. LANGMAN	...	...	June, 1894	50
E. T. RICH	...	June, 1891	W. O. SANDERS	...	...	June, 1894	
C. G. FULLER	...	June, 1891	S. S. GRANT	...	...	June, 1894	
G. E. ELLISSEN	...	June, 1891	D. FORSTER (1st place)	...	...	November, 1894	
A. B. FORMAN	...	June, 1891	E. O. HENRICI	...	...	November, 1894	

ROYAL MILITARY COLLEGE, SANDHURST.—ADMISSIONS.

	J. G. CROSLEGH (1st place)	...	June, 1889	J. M. HARTLEY	...	...	June, 1892
	G. C. MAYNARD	...	June, 1889	F. A. BRENT	...	...	June, 1892
	A. L. TARVER	...	June, 1889	J. H. KERRICH	...	...	June, 1892
	F. C. BRITEN	...	June, 1889	W. O. GRANT	...	...	June, 1892
	A. M. FORBES	...	November, 1889	T. S. COX (8th place)	...	...	November, 1892
	L. W. PEARS	...	November, 1889	S. B. WATSON	...	...	November, 1892
	J. G. MIGNON	...	November, 1889	R. W. HENDERSON	...	...	November, 1892
	W. M. CROWE	...	November, 1889	G. K. CHANNER	...	...	November, 1892
10	C. C. MACDONALD	...	November, 1889	P. S. ALLAN	...	...	June, 1893
	E. F. DESPARD	...	November, 1889	F. BEVAN	...	...	June, 1893
	A. J. LEAROYD	...	June, 1890	S. J. CAREY	...	...	June, 1893
	A. O. CHANNER	...	June, 1890	L. G. STONE	...	...	June, 1893
	H. G. GARSIA	...	June, 1890	J. J. RONALD	...	...	June, 1893
	F. B. MAURICE (6th place)	...	November, 1890	C. R. MACDONALD	...	...	June, 1893
	M. E. BRUCE	...	November, 1890	E. C. WALLACE	...	...	November, 1893
	H. E. FOSTER	...	November, 1890	E. C. ROBERTSON	...	...	November, 1893
	L. S. BROWNE	...	June, 1891	E. J. M. HARVEY	...	...	June, 1894
	T. R. STOKOE	...	June, 1891	T. A. C. FORBES	...	...	June, 1894
20	W. F. SKENE	...	June, 1891	M. R. WALSH	...	...	June, 1894
	P. B. CARLISLE	...	November, 1891	L. F. JENKINS	...	...	November, 1894
	R. F. LEGG	...	November, 1891	K. B. FERGUSON	...	...	November, 1894
	P. S. MATTHEWS	...	November, 1891	M. M. CROCKER	...	...	November, 1894
	W. J. AINSWORTH	...	November, 1891	L. O. WILSON	...	...	November, 1894
	S. F. DALRYMPLE-HAY	...	November, 1891	O. C. WATSON	...	...	November, 1894
	A. G. MACDONALD	...	June, 1892				

THE FOLLOWING EXTRACT from the *Westminster Gazette* of July 18, 1894, shows roughly the work done by the important schools of England, as far as the Universities are concerned.

THE PUBLIC SCHOOL RECORD.

"OUR BOYS" AT WORK AND PLAY: 1893-4.

1.—THE SCHOLARSHIP RECORD.

[Schools printed in *italics* are those in whose totals *close* scholarships are included. The names following the schools are of the headmasters; the figures give the average number of boys during the year. The schools are arranged in order according to this year's results.]

OVER TWENTY SCHOLARSHIPS.						1893-4	1886-93	Total	10
St. Paul's (Mr. F. W. Walker, 630)	...	...	...	...	...	29	115	144	
TEN SCHOLARSHIPS AND OVER.									
<i>Merchant Taylors'</i> (Rev. W. Baker, 512)	...	...	...	...	...	15	118	133	
<i>Manchester</i> (Mr. J. E. King, 800)	...	...	...	...	...	14	80	94	
Dulwich (Mr. A. H. Gilkes, 610)	...	...	...	...	...	12	64	76	
Clifton (Rev. M. G. Glazebrook, 630)	...	...	...	...	...	11	77	88	
Rugby (Rev. J. Percival, 500)	...	...	...	...	...	11	49	60	
<i>Winchester</i> (Rev. W. A. Fearon, 400)	...	...	...	...	...	11	71	82	
<i>Eton</i> (Rev. E. Warre, 1,000)	...	...	...	...	...	10	69	79	20
FIVE SCHOLARSHIPS AND OVER.									
Shrewsbury (Rev. H. W. Moss, 300)	...	...	...	...	...	8	32	40	
Charterhouse (Rev. W. Haig-Brown, 522)	...	...	...	...	...	7	48	55	
Marlborough (Rev. G. C. Bell, 590)	...	...	...	...	...	7	70	77	
<i>Westminster</i> (Rev. W. G. Rutherford, 220)	...	...	...	...	...	7	62	69	
Bedford Grammar School (Mr. J. S. Phillpotts, 800)	...	...	...	...	...	6	25	31	
Bradford (Rev. W. H. Keeling, 430)	...	...	...	...	...	6	35	41	
Christ's Hospital (Rev. R. Lee, 420)	...	...	...	...	...	6	51	57	
Rossall (Rev. C. C. Tancock, 385)	...	...	...	...	...	6	36	42	
Bath College (Mr. T. W. Dunn, 135)	...	...	...	...	...	5	35	40	30
Birmingham (Rev. A. R. Vardy, 425)	...	...	...	...	...	5	31	36	
Tonbridge (Rev. J. Wood, 380)	...	...	...	...	...	5	16	21	
FOUR SCHOLARSHIPS.									
Bristol (Mr. R. L. Leighton, 280)	...	...	...	...	...	4	22	26	
Leys (Rev. W. F. Moulton, 175)	...	...	...	...	...	4	13	17	
Malvern (Rev. A. S. Gray, 230)	...	...	...	...	...	4	24	28	
Newton (Rev. G. T. Warner, 120)	...	...	...	...	...	4	7	11	
Oundle (Mr. F. W. Sanderson, 100)	...	...	...	...	...	4	18	22	
Pocklington (Rev. C. F. Hutton, 130)	...	...	...	...	...	4	6	10	
THREE SCHOLARSHIPS.									40
Aldenharn (Rev. J. Kennedy, 136)	...	...	...	...	...	3	18	21	
Berkhamsted (Rev. T. C. Fry, 225)	...	...	...	...	...	3	8	11	
Bradfield (Rev. H. B. Gray, 210)	...	...	...	...	...	3	14	17	
Canterbury (Rev. T. Field, 150)	...	...	...	...	...	3	14	17	
City of London (Mr. A. T. Pollard, 695)	...	...	...	...	...	3	40	43	
Denstone (Rev. D. Edwardes, 270)	...	...	...	...	...	3	8	11	
Exeter (Mr. W. A. Cunningham, 133)	...	...	...	...	...	3	8	11	
Fettes (Rev. W. A. Heard, 210)	...	...	...	...	...	3	11	14	

					1893-4	1886-93	Total
	Haileybury (Hon. and Rev. E. Lyttelton, 400)	...	...	...	3	21	24
	Harrow (Rev. J. E. C. Welldon, 600)	...	...	...	3	31	34
	King's College School (Rev. C. W. Bourne, 240)	...	...	...	3	18	21
	Leatherhead (Rev. A. F. Rutt, 260)...	...	...	...	3	13	16
	Liverpool College (Rev. F. Dyson, 260)	...	...	...	3	13	16
	Llandovery (Rev. O. Evans, 180)	...	...	...	3	19	22
	Uppingham (Rev. E. C. Selwyn, 360)	...	...	...	3	16	19
	Weymouth (Rev. J. Miller, 150)	...	...	...	3	6	9
10	Two SCHOLARSHIPS.						
	Bromsgrove (Mr. H. Millington, 100)	...	...	...	2	9	11
	Bury, Lancs. (Rev. W. H. Howlett, 166)	...	...	...	2	3	5
	Coventry (Rev. C. R. Gilbert, 130)	...	...	...	2	—	—
	Epsom (Rev. T. N. Hart-Smith, 246)	...	...	...	2	9	11
	Hereford Cathedral School (Rev. T. Thistle, 100)	...	...	...	2	14	16
	Heversham (Rev. W. Hart, 30)	...	...	...	2	5	7
	Highgate (250) ...	...	...	...	2	16	18
	Ipswich (Rev. F. H. Browne, 120)	...	...	...	2	21	23
	Nottingham (Mr. J. Gow, 320)	...	...	...	2	7	9
20	Oxford (Mr. A. W. Cave, 141)...	...	...	...	2	14	16
	Sherborne (Rev. F. B. Westcott, 150)	...	...	...	2	17	19
	Southwark (Mr. W. A. Rushbrooke, 240)	...	...	...	2	24	26
	ONE SCHOLARSHIP EACH.						
	Bath, Kingswood (Rev. W. P. Workman, 240)	...	...	...	1	14	15
	Cheltenham (Rev. H. A. James, 560)	...	...	...	1	19	20
	Chester (Rev. J. T. Davies, 110)	...	...	...	1	8	9
	Crosby, Merchant Taylors' (Rev. S. C. Armour, 280)	...	...	...	1	8	9
	Derby (Rev. J. R. Sterndale Bennett, 137)	...	...	...	1	15	16
	Durham (Rev. J. W. Hobhouse, 100)	...	...	...	1	18	19
30	Giggleswick (Rev. G. Style, 210)	...	...	...	1	8	9
	King William's Coll., Isle of Man (Rev. F. B. Walters, 190)	...	...	...	1	11	12
	Leeds (Rev. J. H. D. Matthews, 160)	...	...	...	1	11	12
	Newcastle, Staffs. (Mr. A. W. Rundall, 127)	...	...	...	1	10	11
	Portsmouth (Mr. J. C. Nicol, 310)	...	...	...	1	13	14
	Repton (Rev. W. M. Furneaux, 300)	...	...	...	1	16	17
	York (Rev. J. T. Handford, 115)	...	...	...	1	15	16

5 Bank Buildings, London, E.C.,
3rd July, 1895.

DEAR SIRs,

THE MERCERS' COMPANY—ST. PAUL'S SCHOOL.

We beg to acknowledge the receipt of your letter of yesterday's date.

We enclose the draft of an Affidavit which it is proposed shall be made by Mr. John Watney, the Clerk to the Company, and used on both appeals. Beyond this we do not at present think there will be any further evidence, but this of course must depend upon the nature of the evidence which you propose to put in.

The Scheme of 1876 will be printed in the Appendix. It is not yet in print, 10 but our printers are at work upon it.

With regard to the grounds of appeal contained in the petitions, the following points have been dropped, viz. : (h), (l), (m) and (n).

We understand from Mr. Watney that to-morrow (Thursday) will not be convenient to him to produce the original documents for examination, but some of them will be ready at 2 o'clock on Monday the 8th inst. Will that be convenient to you ?

The Joint Appendix of the Governors will be identical with that of the Mercers' Company which we have sent to you, excepting that the petition of appeal of the Governors will be substituted for that of the Mercers' Company. 20

We are, dear Sirs,

Yours faithfully,

FRESHFIELDS & WILLIAMS.

MESSRS. FARRER & CO.

66 Lincoln's Inn Fields,
London, W.C.,
August 9th, 1895.

DEAR SIRs,

ST. PAUL'S SCHOOL, LONDON.

We, on behalf of the Commissioners, consider a large part of the correspondence and memoranda of interviews contained in the proof of the Joint Appendix, and purporting apparently to be a record of the history of the Scheme, as irrelevant to the issue ; and, while we do not go so far as to object to the
10 insertion of such matter (at the instance of the Appellants) in the Joint Appendix, we must nevertheless not be supposed to admit either its accuracy or its sufficiency for the purpose of a complete history of the case.

We propose that this letter should be inserted in the Joint Appendix as defining the Commissioners' position.

Yours truly,
FARRER & CO.

MESSRS. FRESHFIELDS, WILLIAMS, & Co.,
5 Bank Buildings, E.C.

In the Privy Council.

IN THE MATTER OF THE FOUNDATION CALLED OR KNOWN AS ST. PAUL'S SCHOOL, LONDON, FOUNDED BY DEAN COLET, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th of July, 1879 ;

AND

IN THE MATTER OF A SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION approved by the Committee of Council on Education on the 17th day of August, 1894, and published 10 on the 24th day of the same month ;

AND

IN THE MATTER OF THE ENDOWED SCHOOLS ACTS 1869, 1873, and 1874.

I, DANIEL ROBERT FEARON, of Gwydyr House, Whitehall, in the County of London, Esquire, and a Companion of the Most Honourable Order of the Bath, make oath and say as follows :—

1. I am the Secretary to the Charity Commissioners for England and Wales, who are the Respondents to two Petitions which have been respectively presented to Her Majesty's Privy Council in the above matters by the Mercers' Company of London and the Governing Body of St. Paul's School, London. 20

2. Dean Colet died in the year 1519. No instrument of foundation of St. Paul's School (to the best of my knowledge and belief) contains any provision as to religious learning or instruction. The only Statutes or regulations (to the best of my knowledge and belief) bearing on the matter, and made before the end of fifty years after Colet's death, are the ordinances for the government of the said St. Paul's School made by the Founder, John Colet, in 1512, which contain the following directions concerning the religious instruction of the scholars : " My intent is by this School specially to increase knowledge and Worshipping of " God and our Lord Christ Jesu, and good Christian life and manners in the " children, and for that intent I will the children learn first above all the Catechism 30 " in English, and after, the accidence that I made or some other." In those ordinances one of the duties of the Chaplain was to " teach the children the " Catechism and instruction of the Articles of the faith and the Ten " Commandments in English."

3. The Catechism here referred to is not the Catechism of the Church of England as contained in the present Book of Common Prayer, and to the best of my knowledge, information, and belief there was not any Catechism which was a formulary of any Church in the year 1510, or in fact prior to the Reformation in

England. The Catechism, so mentioned in the Ordinances, appears to be that which is affixed to certain Articles of Admission to St. Paul's School, and which is to be found, with a short Latin Accidence, in a treatise styled "Coleti Aeditio," which treatise a copy preserved in the library at Peterborough Cathedral, dated 1527, and a copy in the British Museum printed by Wynkyn de Worde in 1534, show to have been presented by the Founder to William Lilly, the first Head Master of St. Paul's School in 1510 for instruction of the scholars.

4. The title "Catechism" does not appear in the before-mentioned copies of Coleti Aeditio, although the elements of religious instruction contained therein are
 10 in fact a Catechism, and the same commence with a Creed styled "the Articles of
 "the Faith." This Catechism, together with the Articles of the Faith, were composed by Dean Colet himself. They were never formularies of any particular Church, sect, or denomination.

5. A draft of the Scheme which is now appealed from was, in accordance with the Endowed Schools Act 1869, duly published in March 1893 and circulated. A revised draft of the said Scheme was issued in November 1893, and on the 24th April, 1894, the said Scheme, which had been still further revised, was at a meeting of the Board of Charity Commissioners approved and directed
 20 to be submitted to the Committee of Council on Education. Upon being so
 submitted it was (before approval) duly published by the Committee of Council in accordance with the said Acts and circulated. The Scheme was subsequently remitted by the Committee of Council to the Charity Commissioners, with a declaration in conformity with which certain amendments were made in the Scheme by the Commissioners and submitted to the Committee of Council. The Scheme with such amendments was then approved by the said Committee of Council on the 17th August, 1894, and was duly published and circulated on the 24th August, 1894.

6. I acquired my knowledge of the facts hereinbefore deposed to by me as
 30 such Secretary as aforesaid, and from researches which I have from time to time made in that capacity.

D. R. FEARON.

{ Sworn at Gwydyr House, Whitehall,
 in the County of London, this 14th
 day of August, 1895,
 Before me,
 CECIL DOWSON,
 A Commissioner to administer Oaths.

In the Writby Council.

IN THE MATTER OF THE FOUNDATION CALLED OR KNOWN AS ST. PAUL'S SCHOOL LONDON, FOUNDED BY DEAN COLET, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th of July, 1879; and made under their Ordinary Jurisdiction.

AND

IN THE MATTER OF A SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION approved by the Committee of Council on Education on the 17th day of August, 1894, and published 10 on the 24th day of the same month;

AND

IN THE MATTER OF THE ENDOWED SCHOOLS ACTS 1869, 1873, and 1874.

APPEAL OF THE GOVERNING BODY OF THE SAID FOUNDATION.

I. JOHN WATNEY, of Mercers' Hall in the City of London, Esquire, make oath and say as follows:

1. I acted as Solicitor to the Mercers' Company from the year 1870 to the year 1875. In the latter year I was appointed Clerk to the Company, and have held that appointment since that time. I have been Clerk to the Governing Body of St. Paul's School since its first constitution under the Scheme of 1876, and am well acquainted with the affairs both of the Company and of the School. 20

2. The several letters and documents (other than the Petitions of Appeal; the Coleti Catechismus; the letter from the Education Department to the Charity Commissioners of the 13th August, 1894, and the enclosure; the list of successes of St. Paul's School; the letter of the 3rd July, 1895, from Messrs. Freshfields & Williams to Messrs. Farrer & Co., and of the 9th August, 1895, from Messrs. Farrer & Co. to Messrs. Freshfields & Williams; Mr. Fearon's Affidavit, and the Endowed Schools Acts) of which copies are set out in the Appendix to the Appellants' Cases are taken either from originals or drafts in my custody which I am authorised and willing to produce if required. 30

3. I was present at the interview between the then Master of the Company and the Endowed Schools Commissioners held on the 4th of November, 1873, of which a report is contained in the Master's Statement set forth in the Appendix, and I say that such statement is a correct report of what happened at the interview.

NOTE.—The Affidavit sworn by Mr. Watney in the Appeal of the Mercers' Company is identical with this, with the exception of the title.

4. I was present at the two interviews between the then Master and Wardens of the Mercers' Company and the Surveyor-Accountant of St. Paul's School and Mr. Hammond, the Assistant Commissioner, held on the 9th and 30th January, 1874, of which reports are contained in the Appendix, and I say that such reports are correct.

5. I was present at the two interviews between the then Master and Wardens of the Mercers' Company and Surveyor-Accountant of St. Paul's School and the Endowed Schools Commissioners held on the 9th and 23rd February, 1874, of which reports are contained in the Appendix, and I say that such reports are
10 correct.

6. It is the fact, as stated in the 22nd paragraph of the Mercers' Company Case, that, on the publication of the draft scheme of the 2nd April, 1874, the Company reserved objections to a later stage.

7. The statements contained in the 25th paragraph of the Mercers' Company Case are true, to the best of my knowledge, information, and belief.

8. The statements contained in the 30th paragraph of the Mercers' Company's Case are true.

9. On or about the 28th October, 1891, the Assistant Commissioner, Mr. Murray, made an inquiry concerning St. Paul's School.

20 10. The report contained in the Appendix of the interview between some of the Governors of St. Paul's School and the Commissioners, held on the 29th February, 1892, is a copy of a *précis* received by me from the Secretary to the Commission. I was present at the interview, and say that the report is correct.

11. I was present at the interview between some of the Governors and the Vice-President of the Committee of Council on Education held on the 18th July, 1894, of which a report is contained in the Appendix, and I say that such report is correct.

30 12. The letter from the Education Department to the Charity Commissioners dated the 13th August, 1894, and its enclosure, set forth in the Appendix, were neither of them published, and neither of them came to the knowledge of the Mercers' Company or the Governing Body until the middle of December, 1895, but the Company and the Governing Body were aware that communications had taken place between the Department and the Commissioners.

Sworn at 7 Frederick's Place, Old Jewry, }
in the City of London, this 23rd day } JOHN WATNEY.
of December, 1895, }
Before me,
J. HERBERT TEE,
A Commissioner for Oaths.

In the Privy Council.

IN THE MATTER OF THE FOUNDATION CALLED OR KNOWN AS ST. PAUL'S SCHOOL, LONDON, FOUNDED BY DEAN COLET, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th July, 1879, and made under their ordinary jurisdiction ;

AND

IN THE MATTER OF A NEW SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION approved by the Committee of Council on Education on the 24th day of August, 1894, and published 10 on the 27th day of the same month ;

AND

IN THE MATTER OF THE ENDOWED SCHOOLS ACTS 1869, 1873, and 1874.

APPEAL OF THE GOVERNING BODY OF THE SAID FOUNDATION.

NOTE.—The Affidavit sworn by Mr. Wilson in the Appeal of the Mercers' Company is identical with this, with the exception of the title.

I, THE REVEREND HENRY AUSTIN WILSON, of Magdalen College, in the University of Oxford, Master of Arts, and a Fellow of the said College, make oath and say as follows :—

1. I have read the Affidavit of Daniel Robert Fearon, sworn in this matter on the 14th August, 1895, and my attention has been drawn to paragraphs 20 2, 3 and 4 thereof.

2. I have in the ordinary course of my studies given attention to the history of the doctrines and formularies of the Church of England, and from my knowledge so obtained I am able to speak to the matters referred to in this my Affidavit.

3. The Lord's Prayer and the Apostles' Creed in the Latin language were formularies of the Church of England in and before the time of Dean Colet. The translations thereof, which appear in the present Book of Common Prayer, were not made till after Dean Colet's time. There was not until after his time any authorised translation of the Apostles' Creed, and consequently the 30 paraphrase or translation which appears in the treatise styled "Coleti Aeditio" did not and could not differ from any then authorised translation of that Creed.

4. The other matters contained in the Catechism, prefixed to the "Coleti Aeditio," were all in accordance with the doctrine of the Church of England in the time of Dean Colet, and are still in accordance with the doctrine of the

Church of England except so far as altered by the general Ecclesiastical law of the Realm. The Apostles' Creed and the Lord's Prayer and the Ten Commandments have from a time long before that of Dean Colet been the basis of authorised religious teaching in the Church of England. To expound them in English was not in Dean Colet's time contrary to the law of the Church of England.

Sworn at the City of Oxford this Sixth day of	}	H. A. WILSON.
March, 1896. before me,		
EDWARD W. HAZEL,		
A Commissioner for Oaths.		

In the Writ of Council.

IN THE MATTER OF THE FOUNDATION CALLED OR KNOWN AS ST. PAUL'S SCHOOL, LONDON, FOUNDED BY DEAN COLET, now regulated by a Scheme made under the Endowed Schools Acts on the 24th March, 1876, as altered by a Scheme of the Charity Commissioners of the 4th July, 1879, and made under their ordinary jurisdiction ;

AND

IN THE MATTER OF A NEW SCHEME FOR THE ADMINISTRATION OF THE ABOVE-NAMED FOUNDATION approved by the Committee of Council on Education on the 24th day of August, 1894, 10 and published on the 27th day of the same month ;

AND

IN THE MATTER OF THE ENDOWED SCHOOLS ACTS 1869, 1873, and 1874.

APPEAL OF THE GOVERNING BODY OF THE SAID FOUNDATION.

NOTE. The Affidavit sworn by Mr. Gardiner in the Appeal of the Mercers' Company is identical with this, with the exception of the title.

I, THE REVEREND ROBERT BARLOW GARDINER, M.A., Clerk in Holy Orders and Fourth Master in St. Paul's School and Editor of the Admission Registers of St. Paul's School from 1748 to 1876, make oath and say as follows :—

1. I entered St. Paul's School as a scholar in the month of October 1854, and remained in the School till June 1861.

2. During all the time that I was in the School the Church Catechism was taught as part of the ordinary School course of instruction. I myself, while I was in the lower classes, received, in common with the other boys in those classes, instruction in the Church Catechism as part of the ordinary course from the Reverend Edward Taylor Hudson, who was then the Fourth Master in the said School.

3. I have always heard and believe that, as far back as living memory can go, and down to the 2nd August, 1869, the Church Catechism has always been taught in the School. I have also investigated the history of the School, and from my knowledge so obtained I believe that the religious teaching in the School has always been that of the Church of England down to the 2nd August, 1869.

4. In 1601 Richard Mulcaster, then High Master, published a translation into Latin of the Church Catechism under the title "Catechismus Paulinus in

usum Scholae Paulinae conscriptus." Editions of the "Preces" used in the School of the years 1705, 1718, 1814, 1852, and 1879 all contain the Catechism, together with a Latin version of the Order of Confirmation of the Church of England.

Sworn at 11 Vernon Street, West Kensington,
 in the County of London, this 6th day of } ROBERT B. GARDINER.
 March, 1896, before me, }
 JOHN HAYNES,
 A Commissioner for Oaths.

A.D. 1869.

[32 & 33 VICT., chap. 56.]

AN ACT TO AMEND THE LAW RELATING TO ENDOWED
SCHOOLS AND OTHER EDUCATIONAL ENDOWMENTS IN
ENGLAND, AND OTHERWISE TO PROVIDE FOR THE
ADVANCEMENT OF EDUCATION.

[2d August 1869]

Endowed Schools
Act, 1869.

WHEREAS the Commissioners appointed by Her Majesty under letters patent dated the twenty-eighth day of December one thousand eight hundred and sixty-four, to enquire into the education given in schools not comprised within the scope of certain letters patent of Her Majesty, bearing date respectively the thirtieth day of June one thousand eight hundred and fifty-eight and the eighteenth day of July one thousand eight hundred and sixty-one, have made their report, and thereby recommended various changes in the government, management, and studies of endowed schools, and in the application of educational endowments, with the object of promoting their greater efficiency, and of carrying into effect the main designs of the founders thereof, by putting a liberal education within the reach of children of all classes; and have further recommended other measures for the object of improving education :

And whereas such objects cannot be attained without the authority of Parliament :

20

Repealed by Statute
Law Revision (No. 2)
Act, 1893.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows :

Preliminary.

- | | |
|---|--|
| Short title. | 1. This Act may be cited as "The Endowed Schools Act, 1869." |
| Application of Act. | 2. This Act shall not apply to Scotland or Ireland. |
| Commencement of Act.
Repealed by Statute
Law Revision (No. 2)
Act, 1893. | 3. <i>This Act shall come into operation on the passing thereof, which date is in this Act referred to as the commencement of this Act.</i> |
| Definition of "endowment." | 4. In this Act, unless the context otherwise requires, the term "endowment" means every description of property, real, personal, and mixed, which is |

dedicated to such charitable uses as are referred to in this Act, in whomsoever such property may be vested, and in whosoever name it may be standing, and whether such property is in possession or in reversion, or a thing in action.

5. In this Act, unless the context otherwise requires, the term “educational endowment” means an endowment or any part of an endowment which, or the income whereof, has been made applicable or is applied for the purposes of education at school of boys and girls or either of them, or of exhibitions tenable at a school or an university or elsewhere, whether the same has been made so applicable by the original instrument of foundation or by any subsequent Act of Parliament, letters patent, decree, scheme, order, instrument, or other authority, and whether it has been made applicable or is applied in the shape—of payment to the governing body of any school or any member thereof, or to any teacher or officer of any school or to any person bound to teach, or to scholars in any school, or their parents, or—of buildings, houses, or school apparatus for any school, or otherwise howsoever.

Definition of
“educational
endowment.”

6. In this Act, unless the context otherwise requires, the term “endowed school” means a school which is (or if it were not in abeyance would be) wholly or partly maintained by means of any endowment: Provided that a school belonging to any person or body corporate shall not by reason only that exhibitions are attached to such school be deemed to be an endowed school.

Definition of
“endowed school.”

7. In this Act, unless the context otherwise requires,—

Interpretation
of terms.

The term “exhibition” means any exhibition, scholarship, or other like emolument; and the term “exhibitioners” and other terms referring to exhibitions are to be construed accordingly:

The term “governing body” means any body corporate, persons or person who have the right of holding, or any power of government or of management over any endowment or, other than as master, over any endowed school, or have any power, other than as master, of appointing officers, teachers, exhibitioners or others, either in any endowed school, or with emoluments out of any endowment:

The term “Committee of Council on Education” means the Lords of the Committee of Her Majesty’s Privy Council on Education.

8. Nothing in this Act, save as in this Act expressly provided, shall apply—

Nothing in this A
except as expressly
provided, to apply
to certain schools
herein named.

(1) To any school mentioned in section three of the Public Schools Act, 1868, or to the endowment thereof:

(2) To any school which, on the first of January one thousand eight hundred and sixty-nine, was maintained wholly or partly out of annual voluntary subscriptions, and had no endowment except school buildings or teachers’ residences, or playground or gardens attached to such buildings or residences:

- (3) To any school which, at the commencement of this Act, is in receipt of an annual grant out of any sum of money appropriated by Parliament to the civil service, intituled "For Public Education in "Great Britain," or to the endowment thereof; unless such school is a grammar school, as defined by the Act of the session of the third and fourth years of the reign of her present Majesty, chapter seventy-seven, or a school a department of which only is in receipt of such grant :
- (4) To any school (unless it is otherwise subject to this Act) which is maintained out of any endowment the income of which may, in the 10 discretion of the governing body thereof, be wholly applied to other than educational purposes, or to such endowment :
- (5.) To any school (unless it is otherwise subject to this Act) which receives assistance out of any endowment the income of which may, in the discretion of the governing body of such endowment, be applied to some other school :
- (6.) To any endowment applicable and applied solely for promoting the education of the ministers of any church or religious denomination, or for teaching any particular profession, or to any school (unless it is otherwise subject to this Act) which receives assistance out of such 20 endowment :
- (7.) To any school which, during the six months before the first of January one thousand eight hundred and sixty-nine, was used solely for the education of choristers, or to the endowment of any such school if applicable solely for such education.

Reorganization of Endowed Schools.

9. The Commissioners (appointed as in this Act mentioned), by schemes made during the period, in the manner and subject to the provisions in this Act mentioned, shall have power, in such manner as may render any educational endowment most conducive to the advancement of the education of boys and 30 girls, or either of them, to alter, and add to any existing, and to make new trusts directions and provisions in lieu of any existing trusts directions and provisions which affect such endowment, and the education promoted thereby, including the consolidation of two or more such endowments, or the division of one endowment into two or more endowments.

10. The Commissioners by any scheme relating to an educational endowment made during the period, in the manner and subject to the provisions in this Act mentioned, shall have power to alter the constitution, rights, and powers of any governing body of an educational endowment, and to incorporate any such governing body, and to establish a new governing body, corporate or 40 unincorporate, with such powers as they think fit, and to remove a governing body, and in the case of any corporation (whether a governing body or not)

Schemes for applica-
tion of educational
endowments.

Schemes as to
governing bodies.

incorporated solely for the purpose of any endowment dealt with by such scheme, to dissolve such corporation.

11. It shall be the duty of the Commissioners in every scheme which abolishes or modifies any privileges or educational advantages to which a particular class of persons are entitled, and that whether as inhabitants of a particular area or otherwise, to have due regard to the educational interests of such class of persons.

Educational interests of persons entitled to privileges.

Amended, 36 and 37
Vict. c. 87 s. 5.

12. In framing schemes under this Act, provision shall be made so far as conveniently may be for extending to girls the benefits of endowments

Schemes to extend benefit to girls.

10 13. It shall be the duty of the Commissioners to provide in any scheme for saving or making due compensation for the following vested interests ; namely,

Saving of interest of foundationer, master, governing body, &c.

(1) The interests of any boy or girl who was at the time of the passing of this Act on the foundation of any endowed school :

(2) The tenure by any person of any exhibition dealt with by any such scheme which was held by him at the time of the passing of this Act :

(3) Such interest as any teacher or officer in any endowed school appointed to his office before the passing of the Endowed Schools Act, 1868, may have :

20 (4) Such interest as any person may have in any pension or compensation allowance to which he was entitled at the passing of the Endowed Schools Act, 1868 :

(5) Such interest as any member of the governing body of any educational endowment appointed to his office before the passing of the Endowed Schools Act, 1868, may have in any emolument payable to him as such, or in any right of patronage which has a marketable value, and is capable of being sold by him :

30 It shall also be the duty of the Commissioners in any scheme relating to any endowed school to have regard to the rights of patronage which may be at the passing of this Act exercised by any member of the governing body of such school in consequence of any gift or donation made by him.

14. Nothing in this Act shall authorize the making of any scheme interfering—

Not to authorize schemes for interfering with modern endowments, cathedral schools, &c.

(1) With any endowment, or part of any endowment (as the case may be) originally given to charitable uses, or to such uses as are referred to in this Act, less than fifty years before the commencement of this Act, unless the governing body of such endowment assent to the scheme :

- (2) With the constitution of the governing body of any school wholly or partly maintained out of the endowment of any cathedral or collegiate church, or forming part of the foundation of any cathedral or collegiate church, unless the dean and chapter of such church assent to the scheme :
- (3) With the constitution of the governing body of any school, which governing body is subject to the jurisdiction of the governing body of the people called Quakers, or of the congregation of United Brethren called Moravians, unless the governing body of such school assent to the scheme :
- (4) With the constitution of the governing body of any school or with any exhibition (other than one restricted to any schools, or school or district), forming part of the foundation of any college in Oxford or Cambridge, unless the college assent to the scheme.

10

As to religious
education in
day schools.

15. In every scheme (except as hereafter mentioned) relating to any endowed school or educational endowment the Commissioners shall provide that the parent or guardian of, or person liable to maintain or having the actual custody of, any scholar attending such school as a day scholar, may claim, by notice in writing addressed to the principal teacher of such school, the exemption of such scholar from attending prayer or religious worship, or from any lesson 20 or series of lessons on a religious subject, and that such scholar shall be exempted accordingly, and that a scholar shall not by reason of any exemption from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, be deprived of any advantage or emolument in such endowed school or out of any such endowment to which he would otherwise have been entitled, except such as may by the scheme be expressly made dependent on the scholar learning such lessons.

They shall further provide that if any teacher, in the course of other lessons at which any such scholar is in accordance with the ordinary rules of such school present, teaches systematically and persistently any particular 30 religious doctrine from the teaching of which any exemption has been claimed by such a notice as is in this section before provided, the governing body shall, on complaint made in writing to them by the parent, guardian, or person having the actual custody of such scholar, hear the complainant, and inquire into the circumstances, and, if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of.

As to religious
education in
boarding school.

16. In every scheme (except as hereinafter mentioned) relating to an endowed school the Commissioners shall provide that if the parent or guardian of, or person liable to maintain or having the actual custody of, any scholar who is about to attend such school, and who but for this section could only be 40 admitted as a boarder, desires the exemption of such scholar from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, but the persons in charge of the boarding houses of such school are not willing to allow such exemption, then it shall be the duty of the governing

body of such school to make proper provisions for enabling the scholar to attend the school and have such exemption as a day scholar, without being deprived of any advantage or emolument to which he would otherwise have been entitled, except such as may by the scheme be expressly made dependent on the scholar learning such lessons. And a like provision shall be made for a complaint by such parent, guardian, or person as in the case of a day school.

17. In every scheme (except as hereinafter mentioned) relating to any educational endowment the Commissioners shall provide that the religious opinions of any person, or his attendance or non-attendance at any particular form of religious worship, shall not in any way affect his qualification for being one of the governing body of such endowment.

Governing body not to be disqualified on ground of religious opinions.

Amended, 36 and 37 Viet. c. 87 s. 6.

18. In every scheme (except as hereinafter mentioned) relating to an endowed school the Commissioners shall provide that a person shall not be disqualified for being a master in such school by reason only of his not being or not intending to be in holy orders.

Masters not to be required to be in holy orders.

19. A scheme relating to—

- (1.) Any school which is maintained out of the endowment of any cathedral or collegiate church, or forms part of the foundation of any cathedral or collegiate church ; or

Schools excepted from provisions as to religion.

- 20 (2) Any educational endowment, the scholars educated by which are, in the opinion of the Commissioners (subject to appeal to Her Majesty in Council as mentioned in this Act), required by the express terms of the original instrument of foundation or of the statutes or regulations made by the founder or under his authority, in his lifetime or within fifty years after his death (which terms have been observed down to the commencement of this Act), to learn or to be instructed according to the doctrines or formularies of any particular church, sect, or denomination,

Extended, 36 and 37 Viet. c. 87 s. 7.

30 is excepted from the foregoing provisions respecting religious instruction, and attendance at religious worship (other than the provisions for the exemption of day scholars from attending prayer or religious worship, or lessons on a religious subject, when such exemption has been claimed on their behalf), and respecting the qualification of the governing body and masters (unless the governing body, constituted as it would have been if no scheme under this Act had been made, assents to such scheme).

And a scheme relating to any such school or endowment shall not, without the consent of the governing body thereof, make any provision respecting the religious instruction or attendance at religious worship of the scholars (except for securing such exemption as aforesaid), or respecting the religious opinions of the governing body or masters.

Transfer of jurisdiction of visitors.

20. In every scheme the Commissioners may, if they think fit, provide for the transfer to Her Majesty of all rights and powers reserved to, belonging to, claimed by, or capable of being exercised by any person, persons, or body corporate as visitor of the endowed school or educational endowment to which the scheme relates, except in the case of cathedral schools.

They shall also provide that such rights and powers as aforesaid, if vested in Her Majesty at the commencement of this Act. or if transferred to Her Majesty by the scheme, shall be exercised only through and by the Charity Commissioners for England and Wales.

Abolition of jurisdiction of ordinary as to licensing masters.

21. In every scheme the Commissioners shall provide for the abolition of all jurisdiction of the ordinary relating to the licensing of masters in any endowed school, or of any jurisdiction arising from such licensing. 10

Tenure of office of teachers.

22. In every scheme the Commissioners shall provide for the dismissal at pleasure of every teacher and officer in the endowed school to which the scheme relates, including the principal teacher, with or without a power of appeal in such cases and under such circumstances as to the Commissioners may seem expedient.

General provisions.

23. In any scheme the Commissioners may insert all powers and provisions that may be thought expedient for carrying its objects into effect.

Apportionment of mixed endowments.

24. Where part of an endowment is an educational endowment within the meaning of this Act, and part of it is applicable or applied to other charitable uses, the scheme shall be in conformity with the following provisions (except so far as the governing body of such endowment assent to the scheme departing therefrom) ; that is to say : 20

- (1.) The part of the endowment or annual income derived therefrom which is applicable to such other charitable uses shall not be diverted by the scheme from such uses :
- (2.) The part of the endowment or annual income so applicable to such other charitable uses shall be deemed to be the proportion which, in the opinion of the Commissioners, subject to appeal to Her Majesty 30 in Council, is the average proportion which has during the three years before the passing of this Act been appropriated as regards capital or applied as regards income to such uses, or (if that proportion differs from the proportion which ought in accordance with the express directions of the instrument of foundation or the statutes or regulations during the said three years governing such endowment to have been so appropriated or applied) which ought to have been so appropriated or applied ;
- (3.) If the proportion applicable to other charitable uses exceeds one half of the whole of the endowment, the governing body of such endowment 40 existing at the date of the scheme shall, so far as regards its non-educational purposes, remain unaltered by the scheme ;

(4.) Where the governing body remains so unaltered, that body shall pay or apply for educational purposes such proportion as under the former provisions of this section is applicable to those purposes, or such less sum as may be fixed by the Commissioners, subject to appeal to Her Majesty in Council ;

10

(5.) Where during the said three years any portion of the endowment as existing at the commencement of such three years, or the annual income of such portion, has been accumulated and not applied to any purpose, the Charity Commissioners for England and Wales shall determine whether such portion or income is to be considered, for the purposes of this section, as having been appropriated or applied for educational purposes, or for other charitable uses ;

20

(6.) Where by reason of the Act of Parliament, letters patent, decree, scheme, order, or other instrument during the said three years governing an endowment not having during the said three years been duly carried into effect, or being merely provisional, the preceding provisions of this section are not in the opinion of the Charity Commissioners for England and Wales applicable to such endowment, the Charity Commissioners shall determine what proportions shall be considered as applicable to educational purposes, and such other charitable uses respectively.

Subject to the foregoing provisions of this section, the Commissioners shall have power by any scheme to deal with such endowment, and with the governing body thereof, in the same manner in all respects as if the whole of it were an educational endowment.

30

25. Where an endowment or part of an endowment originally given to charitable uses less than fifty years before the commencement of this Act has, by reason of having been spent on school buildings or teachers' residences, or playground or gardens attached to such buildings or residences, become so mixed with an old endowment given more than fifty years before the passing of this Act, that in the opinion of the Commissioners (subject to appeal to Her Majesty in Council) it cannot conveniently be separated from such old endowment, then the whole endowment shall for the purposes of this Act be deemed to be an endowment originally given to charitable uses more than fifty years before the commencement of this Act.

New endowments mixed with old buildings, &c.

Amended, 36 & 37 Vict. c. 87, s. 10.

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26. Where part of an endowment has been originally given to charitable uses more than fifty years, and another part less than fifty years before the commencement of this Act, and the two have not become mixed, as mentioned in this Act, so that they cannot conveniently be separated, and the governing body do not assent to the scheme dealing with the modern part of the endowment, the scheme relating to the whole part of the endowment shall, subject to appeal to her Majesty in Council, apportion such parts, and may direct either that the endowment shall be divided and appropriated accordingly in manner provided in the scheme, or that the whole endowment shall be vested in the governing

Apportionment of old and new endowments.

body of one of such parts ; and that the portion which is to be applied by the governing body of the other part shall be a debt due to them from the other governing body, and shall be a first charge on the endowment after payment of any charges existing thereon at the date of the scheme.

Claims of cathedral
schools against
Ecclesiastical
Commissioners.

27. Where an educational endowment at the commencement of this Act forms or has formed part of the endowment of any cathedral or collegiate church, the Commissioners shall inquire into the adequacy of such educational endowment, and may submit to the Ecclesiastical Commissioners for England proposals for meeting out of the common fund of the Ecclesiastical Commissioners the claims of any school receiving assistance out of the endowment of any such church to have an increased provision made for it in respect of any estates of such church which may have been transferred to the Ecclesiastical Commissioners. And the Ecclesiastical Commissioners on assenting to any such proposal or any modification of it may make such provision out of their common fund by such means and in such manner as they think best, and a scheme under this Act may with their consent be made for carrying such proposal into effect. 10

As to alteration
of schemes.

See 36 & 37 Vict.
c. 87, s. 10.

28. In any scheme the Commissioners may provide for the alteration from time to time of such portions of the scheme as they think expedient by the Charity Commissioners for England and Wales in the exercise of their ordinary jurisdiction, provided such alteration shall not be contrary to anything contained in this Act. 20

Apprenticeship
fees, &c.

29. For the purposes of this Act endowments attached to any school for the payment of apprenticeship fees or for the advancement in life or for the maintenance or clothing or otherwise for the benefit of children educated at such school shall be deemed to be educational endowments.

Provided that nothing shall be construed to prevent a scheme relating to any such endowment from providing, if the governing body so desire, for the continued application of such endowment to the same purposes.

30. In the case of any endowment which is not an educational endowment as defined in this Act, but the income of which is applicable wholly or partially to any one or more of the following purposes ; namely,— 30

Application to
education of non-
educational
charities.

Doles in money or kind ;

Marriage portions ;

Redemption of prisoners and captives ;

Relief of poor prisoners for debt ;

Loans ;

Apprenticeship fees ;

Advancement in life, or

Any purposes which have failed altogether or have become insignificant in comparison with the magnitude of the endowment, if originally given to charitable uses in or before the year of our Lord one thousand eight hundred ; 40

it shall be lawful for the Commissioners, with the consent of the governing body, to declare, by a scheme under this Act, that it is desirable to apply for the advancement of education the whole or any part of such endowment, and thereupon the same shall for the purposes of this Act be deemed to be an educational endowment, and may be dealt with by the same scheme accordingly: Provided that—

- 10 (1) In any scheme relating to such endowment due regard shall be had to the educational interests of persons of the same class in life or resident within the same particular area as that of the persons who at the commencement of this Act are benefited thereby :
- (2) No open space at the commencement of this Act enjoyed or frequented by the public shall be enclosed in any other manner than it might have been if this Act had not passed.

Procedure for making Schemes.

31. *For the purposes of this Act it shall be lawful for Her Majesty from time to time to appoint Commissioners (in this Act referred to as “the Commissioners”), and to appoint a secretary to such Commissioners, and to remove any Commissioners or secretary so appointed and appoint others, but the number of such Commissioners shall not exceed three at any one time.* Appointment of Commissioners for purposes of this Act.

20 *The Commissioners of Her Majesty’s Treasury may assign to the Commissioners and secretary such salaries, and allow them to employ such assistant commissioners, officers, and clerks, as the Commissioners of Her Majesty’s Treasury may think proper.* Repealed, 37 & 38 Vict. c. 87, s. 7.

The Commissioners, secretary, and other persons so appointed and employed shall not hold office after the expiration of the time limited for the exercise of their powers.

32. The Commissioners, after such examination or public inquiry as they think necessary, may prepare drafts of schemes for the purposes of this Act, subject to the following conditions ; namely,

- 30 (1) Where the gross average annual income of an endowment or of the aggregate educational endowments of an endowed school during the three years next before the first of January one thousand eight hundred and sixty-nine,—

(a) exceeded ten thousand pounds a year, then before the expiration of twelve months, and where it—

(b) exceeded one thousand pounds a year, then before the expiration of six months,

after the commencement of this Act, any governing body of any such endowment may, if they give to the Commissioners such notice as in this section mentioned, prepare and submit to the Commissioners in writing a scheme relating to such endowment, and the Commissioners

shall consider such scheme before they themselves prepare any draft of a scheme relating to the same endowment ; and any scheme so prepared by the governing body, and submitted to the Commissioners, shall, if approved by them, be adopted and proceeded with by them in the same manner as if it were a draft scheme originally prepared by themselves :

- (2) The notice to be given by a governing body to the Commissioners is a notice of their intention to prepare and submit to the Commissioners a draft of a scheme, which notice shall be in writing, and shall be given to the Commissioners within two months after the commencement of 10 this Act :
- (3) The certificate of the Charity Commissioners for England and Wales shall be conclusive evidence for the purposes of this section of the income of an endowment or aggregate endowments of an endowed school.

As to printing and publication of draft schemes.

33. When the Commissioners have prepared the draft of a scheme they shall cause it to be printed, and printed copies of it to be sent to the governing body or governing bodies of the endowment or endowments to which it relates, and to the principal teacher of any endowed school to which it relates, and shall also cause the draft, or a proper abstract of it, to be published and circulated in such 20 manner as they think sufficient for giving information to all persons interested.

Objections and suggestions respecting scheme and alternative scheme.

34. During *three** months after the first publication of the draft of a scheme the Commissioners shall receive any objections or suggestions made to them in writing respecting such scheme, and shall receive any alternative scheme submitted to them by the governing body of any endowment to which the scheme of the Commissioners relates.

Power to make inquiry into schemes.

35. At any time after the expiration of the *three** months the Commissioners, or any one of them, if they think fit, may hold an inquiry or they may refer the draft of the scheme and the alternative scheme, if any, to an Assistant Commissioner, and direct him to hold an inquiry concerning the subject matter 30 of such scheme or schemes.

As to framing of schemes.

36. As soon as may be after the expiration of the said *three** months, or the holding of such inquiry by the Commissioners or one of them, or the receipt by the Commissioners of the report of the Assistant Commissioner, on the inquiry held by him (as the case may be), the Commissioners shall proceed to consider any objections or suggestions made to them in writing respecting the draft scheme, and to consider the alternative scheme (if any), and the report (if any), and thereupon they shall, if they think fit, frame a scheme in such form as they think expedient, and submit it for the approval of the Committee of Council on Education : Provided that where a scheme has been prepared and 40 submitted in pursuance of this Act to the Commissioners before the Commissioners have prepared the draft of a scheme, the Commissioners shall, if

* "Three" altered to "two," 36 & 37 Vict. c. 87 s. 12.

requested by the governing body which submitted it, submit such scheme with their own to the Committee of Council on Education.

37. *The Committee of Council on Education shall consider all schemes so submitted to them, and may, if they think fit, approve any scheme so submitted, and shall cause the scheme so approved to be published and circulated in such manner as they think sufficient for giving information to all persons interested.*

Approval of Committee of Council on Education to schemes.

Repealed, 36 & 37 Vict. c. 87, s. 20.

10 If the Committee do not approve a scheme submitted to them the Commissioners may frame and submit another scheme in the same manner as if no scheme had been previously framed and submitted; provided that where the Committee of Council on Education have not approved any scheme relating to an endowment, the governing body of which may under this Act prepare and submit a draft of a scheme before the Commissioners prepare a draft of a scheme, such governing body may, within three months after notice of such non-approval (if within one month thereafter they give written notice of their intention to the Commissioners), submit to the Commissioners an amended scheme; and the Commissioners shall consider the same before they frame and submit another scheme relating to the same endowment, and such amended scheme of the governing body, if approved by the Commissioners, shall be adopted and proceeded with by them as if it were a scheme originally framed by themselves.

Amended, 36 & 37 Vict. c. 87, s. 13.

20 38. Where a scheme abolishes any restriction which makes any exhibition tenable only at a particular college or hall in any university, and the exhibition is payable out of property held by such college, or by the university in trust for such college or hall (otherwise than as governing body of a school, or as a bare trustee), the scheme shall not be approved if not less than two-thirds of the governing body of such college or hall dissent therefrom in writing; but in every such case the Committee of Council shall make a special report to Parliament setting out the proposed scheme, and stating the dissent, and the reasons, if any, assigned for it.

Consent of colleges or hall.

30 39. If the governing body of any endowment to which a scheme relates, or any person or body corporate directly affected by such scheme, feels aggrieved by the scheme on the ground—

Appeal to Queen in Council.

(1) Of any decision of the Commissioners in a matter in which an appeal to Her Majesty in Council is given by this Act; or

(2) Of the scheme not saving or making due compensation for his or their vested interest as required by this Act;

Amended, 36 & 37 Vict. c. 87, s. 11.

(3) Of the scheme being one which is not within the scope of or made in conformity with this Act; or

40 (4) (If the governing body are the petitioners), of a scheme not having due regard to any educational interests, to which regard is required by this Act to be had, on the abolition or modification of any privileges or educational advantages to which a particular class of persons are entitled;

such governing body, person, or body corporate may within two months after the publication of the scheme when approved petition Her Majesty in Council stating the grounds of the petition, and praying Her Majesty to withhold her approval from the whole or any part of the scheme.

Repealed, 36 & 37
Vict. c. 87, s. 20.

Her Majesty, by Order in Council, may refer any such petition for the consideration and advice of five members at the least of Her Privy Council, of whom two (not including the Lord President) shall be members of the Judicial Committee, and such five members may, if they think fit, admit counsel to be heard in support of and against the petition, and shall have the same power with respect to the costs of all parties to the petition as the Court of Chancery would have if the petition were a proceeding in that court by way either of petition or information for obtaining a scheme. 10

Any petition not proceeded with in accordance with the regulations made with respect to petitions presented to the Judicial Committee of the Privy Council shall be deemed to be withdrawn.

It shall be lawful for Her Majesty by Order in Council to direct that the scheme petitioned against be laid before Parliament, or to remit it to the Commissioners with such declaration as the nature of the case may require.

Proceedings where
scheme is remitted

40. Where a scheme is remitted with a declaration the Commissioners may either proceed to prepare another scheme in the matter in the same manner as if no scheme had been previously prepared, or may submit for the approval of the Committee of Council on Education such amendments in the Scheme as will bring it into conformity with the declaration. 20

The Committee may, if they think fit, approve the scheme with such amendments, and shall publish and circulate the same in the same manner and subject to the same right of petition to Her Majesty in Council as is before directed in the case of the approval of a scheme, and so on from time to time as often as occasion may require.

Schemes, &c., to
be laid before
Parliament.
Repealed, 36 & 37
Vict. c. 87, s. 20.

41. *After the time has expired for a petition to Her Majesty in Council against any scheme, or after Her Majesty in Council has directed a scheme to be laid before Parliament, the scheme shall be forthwith laid before both Houses of Parliament, if Parliament be sitting, or if not, then within three weeks after the beginning of the next ensuing session of Parliament, and after such scheme has lain for forty days before Parliament, then unless within such forty days an address has been presented by one or other of the said Houses praying Her Majesty to withhold her consent from such scheme or any part thereof, it shall be lawful for Her Majesty by Order in Council to declare her approbation of such scheme or any part thereof to which such address does not relate.* 30

Exception as to
schemes for en-
dowments
under 100l.

42. Where a scheme relates to an endowment which during the three years preceding the commencement of this Act has had an average annual gross income of not more than one hundred pounds, no petition shall be presented to Her Majesty in Council with reference to such scheme, so far as it relates to such an endowment. 40

The certificate of the Charity Commissioners of England and Wales shall be conclusive evidence for the purposes of this section of the income of an endowment.

43. If any scheme or any part thereof is not approved by Her Majesty, then the Commissioners may thereupon proceed to prepare another scheme in the matter, and so on from time to time as often as occasion may require.

New scheme on non-approval.

44. Schemes may be from time to time framed and approved for amending any scheme approved under this Act, and all the provisions of this Act relative to an original scheme shall apply also to an amending scheme, *mutatis mutandis*.

Amendment of schemes.

45. A scheme shall not of itself have any operation, but the same, when and as approved by Her Majesty in Council, shall from the date specified in the scheme, or, if no date is specified, from the date of the Order in Council, have full operation and effect in the same manner as if it had been enacted in this Act.

Scheme to take effect.

46. Upon a scheme coming into operation, every Act of Parliament, letters patent, statute, deed, instrument, trust, or direction relating to the subject matter of the scheme, and expressed by such scheme to be repealed and abrogated, shall, by virtue of the scheme and of this Act, be repealed and abrogated from the date in that behalf specified, or, if no date is specified, from the date of the scheme coming into operation, and all property purporting to be transferred by such scheme shall, without any other conveyance or act in the law (so far as may be), vest in the transferees, and so far as it cannot be so vested shall be held in trust for the transferees.

Effect of scheme.

47. The Order in Council approving a scheme shall be conclusive evidence that such scheme was within the scope of and made in conformity with this Act, and the validity of such scheme and order shall not be questioned in any legal proceedings whatever.

Evidence of scheme.

48. *A scheme of the Commissioners shall not be submitted to the Committee of Council on Education unless two at least of the Commissioners have signified in writing their approval of such scheme, but in all other respects one Commissioner may act under this Act.*

Quorum of Commissioners.
Repealed, 37 & 38 Vict. c. 87, s. 7.

49. Section eleven of the Charitable Trusts Act, 1853 (which relates to the production of documents by public officers), and sections six, seven, eight, and nine of "the Charitable Trust Act, 1855" (relating to evidence, and the attendance and examination of witnesses), shall extend to the Commissioners and Assistant Commissioners under this Act, as if they were the Commissioners and inspectors mentioned in those sections.

Power of Commissioners, &c., as to procuring evidence.
18 & 19 Vict. c. 124, ss. 6-9.

50. Where any Commissioner or Assistant Commissioner holds a local inquiry for the purpose of a scheme under this Act, whether before or after the

Inquiry by public sittings by Commissioners, &c.

first publication of a draft scheme, he shall for that purpose hold a sitting or sittings in some convenient place in the neighbourhood of the place where the endowment is situate or administered, and thereat take and receive any evidence and information offered, and hear and inquire into any objections or suggestions made or to be made during the sitting or sittings respecting the scheme or the endowment or school, with power from time to time to adjourn any sitting.

Notice shall be published, in such manner as the Commissioners direct, of every such sitting (except an adjourned sitting), fourteen days at least before the holding thereof.

51. The Assistant Commissioner who holds a local inquiry shall make a report in writing to the Commissioners setting forth the result of the inquiry, and where a draft scheme, with or without an alternative scheme, has been referred to him whether in his opinion such draft or alternative scheme, as the case may be, should be approved with or without alteration, and if with any, then with what alteration, and his reasons for the same, and the objections and suggestions, if any, made on the inquiry, and his opinion thereon.

Miscellaneous.

52. *During the continuance of the power of making schemes under this Act the Charity Commissioners for England and Wales, or any Court or Judge, shall not, with respect to any educational endowment which can be dealt with by a scheme under this Act, make any scheme or appoint any new trustees without the consent of the Committee of Council on Education.*

During the same period the Charity Commissioners shall have the same power of acting upon application made to them by the Commissioners under this Act with respect to any educational endowment as they would have if such application had been made by the governing body of such endowment; and the governing body shall conform to any order made or directions given by the Charity Commissioners upon such application.

53. The chapel of an endowed school subject to this Act, which either has been before or after the commencement of this Act consecrated according to law, or is authorised for the time being by the bishop of the diocese in which the chapel is situate, by writing under his hand, to be used as a chapel for such school, shall be deemed to be allowed by law for the performance of public worship and the administration of the sacraments according to the Liturgy of the Church of England, and shall be free from the jurisdiction and control of the incumbent of the parish in which such chapel is situate.

54. The majority of the members of a governing body who are present at a meeting of their body duly constituted shall have power to do anything that may be required to be done by a governing body for the purposes of this Act: Provided that this power shall be in addition to and not in restraint of any power which any meeting of such governing body may have independently of this Act.

As to report of
Assistant
Commissioners.

Restriction of
powers of Charity
Commissioners,
Court, &c.
Repealed 37 & 38
Vict. c. 87, s. 7.

School chapels
appropriated for
religious worship
free from parochial
jurisdiction.

Quorum of
governing body for
acting under this
Act.

55. Every interest, right, privilege, or preference, or increased interest, right, privilege, or preference which any person may acquire after the passing of this Act in or relative to any endowed school or educational endowment, or in the governing body thereof, or as member of any such governing body, or in or relative to any mastership, office, place, employment, pension, compensation, allowance, exhibition, or emolument in the gift of any such governing body, shall be subject to the provisions of any scheme made under this Act; and the governing body of an endowed school or educational endowment shall not, during the continuance of the power of making schemes under this Act, begin
 10 to build, rebuild, or enlarge any school buildings or teachers' residences or buildings connected therewith, except with the written consent of the Commissioners, or under the direction of such a scheme, but this provision shall not prevent them from continuing any works begun before the passing of this Act, or from doing anything necessary for the repair or maintenance of buildings or residences existing at the passing of this Act.

Persons acquiring interest after passing of Act to be subject to scheme

56. Notices and documents required to be served on or sent to a governing body for the purposes of this Act may be served or sent by being left at the office, if any, of such governing body, or being served on or sent to the chairman, secretary, clerk, or other officer of such governing body, or if there is no office,
 20 chairman, secretary, clerk, or officer, or none known to the Commissioners (after reasonable inquiry), by being served on or sent to the principal teacher of the school (if any) under such governing body.

Service of notices.

57. Notices and documents required to be served or sent for the purposes of this Act may be served or sent by post, and shall be deemed to have been served and received at the time when the letter containing the same would be delivered in the ordinary course of the post; and in proving such service or sending it shall be sufficient to prove that the letter containing the notices or documents was properly addressed and put into the post office.

Service by post.

58. The salaries paid and expenses incurred in carrying into effect this
 30 Act shall be defrayed out of moneys to be provided by Parliament.

Expenses of Act.

59. *The powers of making and approving of a scheme under this Act shall not, unless continued by Parliament, be exercised after the thirty-first of December one thousand eight hundred and seventy-two, or such further day not later than the thirty-first of December one thousand eight hundred and seventy-three, as may be appointed by Her Majesty in Council.*

Duration of powers of making schemes Repealed, 37 & 38 Vict. c. 87, s. 7.

[36 & 37 VICT. CHAP. 87.]

AN ACT TO CONTINUE AND AMEND THE ENDOWED SCHOOLS ACT, 1869.

Endowed Schools Act, 1873.

Repealed by Stat. Law Revision (No. 2) Act, 1893.

[5th August, 1873.]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Construction of Act and short title 32 & 33 Vict. c. 56. *Repealed by Stat. Law Revision (No. 2) Act, 1893.

1. This Act shall be construed as one with the Endowed Schools Act, 1869 (in this Act referred to as the principal Act), and **the principal Act and this Act may be cited together as the Endowed Schools Act, 1869 and 1873, and this Act may be cited as the endowed Schools Act, 1873.* 10

Commencement of Act.

2. This Act shall come into operation on the first day of September one thousand eight hundred and seventy-three, which day is in this Act referred to as the commencement of this Act.

Exception of Elementary schools from 32 & 33 Vict. c. 56, and application thereto of 33 & 34 Vict. c. 75, s. 75.

3. Where an endowed school, not being a grammar school as defined by the Act of the session of the third and fourth years of the reign of Her present Majesty, chapter seventy-seven, or a department of such a grammar school, is at the commencement of this Act an elementary school within the meaning of the Elementary Education Act, 1870, and the gross average annual income of the aggregate educational endowments of such school during the three years next 20 before such commencement did not exceed one hundred pounds, in such case after the commencement of this Act nothing in the principal Act shall apply to such school or the endowments thereof, and section seventy-five of the Elementary Education Act, 1870, shall apply to such school and the endowments thereof in like manner as if it were a school which, at the commencement of the principal Act, was in receipt of an annual parliamentary grant, and schemes may accordingly be framed, submitted, and approved under the said section with reference to such school and endowments.

Provided, that nothing in this section shall prevent the Commissioners from making, on the application of the governing body of an endowment of which part 30 only is an educational endowment to which this section applies, a scheme dealing, in pursuance of the principal Act, with the part of such endowment applicable or applied to other charitable uses, and in such case the scheme may deal with the endowed school and endowment thereof in like manner as if this section had not been enacted.

The governing body of every school to which this section applies may, if they think fit, charge such fees to the scholars as may from time to time be approved by the Committee of Council on Education, and shall permit the school to be inspected and the scholars therein to be examined by one of Her Majesty's Inspectors of schools at such times and in such manner as the Committee of 40 Council on Education may from time to time direct.

The certificate of the Charity Commissioners **for England and Wales* that a school is or is not a school to which this section applies shall be conclusive evidence of the fact for the purposes of the principal Act and this section.

**Repealed by Stat. Law Revision (No. 2) Act, 1893*

4. Where any endowment, or any right of holding or any power of government of or management over any endowment, or any power of appointing officers, teachers, exhibitioners, or others, either in any endowed school or with emoluments out of any endowment, is vested in Her Majesty in right of her Crown or of the Duchy of Lancaster, the Endowed Schools Acts, 1869 and 1873, shall extend to such endowment, right, or powers; and the term "governing body" in those Acts shall be deemed to include Her Majesty:

Extension of Endowed Schools Acts to endowments &c., vested in Her Majesty in right of the Crown or Duchy of Lancaster.

Provided that—

- (1) Any scheme with respect to such endowment, right, or power shall not be approved by the Committee of Council on Education unless Her Majesty assent to such scheme:
- (2) All notices and documents required to be served on or sent to a governing body for the purposes of the Endowed Schools Acts, 1869 and 1873, may be served on or sent to the Lord Chancellor or the Chancellor of the Duchy of Lancaster, as the case may require:
- (3) With the consent of Her Majesty, a scheme may deal with any such right or power without saving or making due compensation therefor:
- (4) Any assent or consent of Her Majesty required for the purpose of the Endowed Schools Acts, 1869 and 1873, may be signified by Her Majesty's Sign Manual, countersigned by the Lord Chancellor or by the Chancellor of the Duchy of Lancaster, as the case may require:

5. It shall be the duty of the Commissioners in every scheme to have the same regard to the educational interests of persons in a particular class in life as they are by section eleven of the principal Act required to have to the educational interests of any particular class of persons.

Amendment of 32 & 33 Viet. c. 56, s. 11.

6. Where under the express terms of the original instrument of foundation of any endowed school or educational endowment the holder of any particular office is a member of the governing body of the school or endowment, nothing in section seventeen of the principal Act shall be deemed to prevent the holder for the time being of such office from being retained as a member of the governing body of such school or endowment.

Amendment of 32 & 33 Viet. c. 56, s. 17, as to holders of office being retained on governing body.

7. A scheme relating to any educational endowment originally given to charitable uses since the passing of the Act of the first year of the reign of William and Mary, chapter eighteen (commonly called the Toleration Act), if by the express terms of the original instrument of foundation, or of the statutes or regulations made by the founder, or under his authority in his lifetime, or within fifty years after his death (which terms have been observed down to the

Extension of 32 & 33 Viet. c. 56, s. 19, as to schools excepted from the provisions as to religion.

commencement of the principal Act), it is required that the majority of the members of the governing body or that the majority of the persons electing the governing body of such endowment, or that the principal teacher employed in the school, or that the scholars educated by the endowment, shall be members of a particular church, sect, or denomination, shall be excepted from the provisions of the principal Act mentioned in section nineteen of the principal Act in like manner as a scheme mentioned in that section, and that section shall be construed as if a scheme relating to such an educational endowment as is above in this section mentioned were a scheme relating to an educational endowment mentioned in sub-section two of the said section.

10

Amendment of
32 & 33 Vict. c. 56,
s. 25, as to new
endowment mixed
with old buildings.

Repealed by Statute
Law Revision
(No. 2) Act, 1893.

8. *Whereas by section twenty-five of the principal Act it is enacted as follows:*
"Where an endowment or part of an endowment originally given to charitable uses
"less than fifty years before the commencement of this Act has, by reason of having
"been spent on school buildings or teachers' residences, or playground or gardens
"attached to such buildings or residences, become so mixed with an old endowment
"given more than fifty years before the passing of this Act, that in the opinion of the
"Commissioners (subject to appeal to Her Majesty in Council) it cannot conveniently
"be separated from such old endowment, then the whole endowment shall for the
"purposes of this Act be deemed to be an endowment originally given to charitable uses
"more than fifty years before the commencement of this Act," and it is expedient to 20
amend the said section: Be it therefore enacted, that—

Where it appears to the Commissioners (subject to appeal to Her Majesty in Council) that the endowment originally given less than fifty years before the commencement of the principal Act is in value not less than the old endowment and was given under the belief that the old endowment was attached to some particular church, sect, or denomination, a scheme relating to such endowment shall provide for the giving of religious instruction to the scholars belonging to such church, sect, or denomination.

Scheme as to
endowments, in
which schools under
31 & 32 Vict. c. 118
are interested.
Repealed by Stat.
Law Revision Act,
1883.

9. *Where two or more schools are jointly interested in an educational endowment,*
and one of such schools is a school mentioned in section three of "The Public Schools 30
Act, 1868," the Commissioners shall not, without the consent of the special Commis-
sioners for the time being under "The Public Schools Act, 1868," deal by any scheme
with the interest of such last-mentioned school in the endowment, but, with the consent of
those Commissioners to the dealing with such interest, may, by a scheme under the
principal Act, deal with such interest as well as with all other interests in such
endowment.

Explanation of
32 & 33 Vict. c. 56,
s. 28, as to alteration
of schemes.
*Repealed by Stat.
Law Revision
(No. 2) Act, 1893.

10. A provision inserted in pursuance of section twenty-eight of the principal Act in any scheme, whether made before or after the passing of this Act, shall not be deemed to give the Charity Commissioners **for England and Wales* any power to alter any portions of such scheme except by a scheme established 40
in pursuance of the Acts for the time being in force relating to such Charity Commissioners, or any of those Acts, and upon the same application, and after the same procedure and notices, and subject to the same right of appeal as a

scheme established under those Acts by the Charity Commissioners in the exercise of their ordinary jurisdiction.

11. Where a scheme under the principal Act gives the governing body of any endowed school power to make regulations respecting the religious instruction given at such school, the scheme shall also provide for any alteration in such regulations not taking effect until the expiration of not less than one year after notice of the making of the alteration is given.

Alteration of religious instruction.

12. *Whereas by section thirty-four of the principal Act it is provided as follows: "During three months after the first publication of the draft of a scheme the Commissioners shall receive any objections or suggestions made to them in writing respecting such scheme, and shall receive any alternative scheme submitted to them by the governing body of any endowment to which the scheme of the Commissioners relates;" and it is expedient to reduce the said period of three months to two months:

Amendment of 32 & 33 Vict. c. 56, ss. 31 to 36, as to time for objections to schemes.

*Be it therefore enacted, that—

"Two months" shall be substituted for "three months" in the said section, and all references in the principal Act to the said three months shall be construed to refer to the said two months.

*Repealed by Statute Law Revision (No. 2) Act, 1894.

13. The Committee of Council on Education as soon as a scheme is submitted to them shall, before approving the same, cause the scheme to be published and circulated in such manner as they think sufficient for giving information to all persons interested, together with a notice stating that during one month after the first publication of such notice the Committee of Council on Education will receive any objections or suggestions made to them in writing respecting such scheme.

Amendment of 32 & 33 Vict. c. 56, s. 37, as to approval of Committee of Council on Education to schemes.

After the expiration of the said month the Committee of Council on Education may, if they think fit, approve the scheme or may remit the scheme, with such declaration as the nature of the case seems to them to require, to the Commissioners; and section forty of the principal Act, as to the proceedings where a scheme is remitted with a declaration, shall in such case apply.

The Committee of Council on Education as soon as they approve a scheme shall forthwith cause the scheme so approved to be published and circulated in such manner as they think sufficient for giving information to all persons interested, together with a notice stating that unless within two months after the publication of the scheme when approved a petition is presented in pursuance of the principal Act to Her Majesty in Council against the scheme, or such petition as in this section mentioned is presented to the Committee of Council on Education, such scheme may be approved by Her Majesty without being laid before Parliament.

During the said two months a petition praying that the scheme may be laid before Parliament may be presented to the Committee of Council on Education by the governing body of the endowment to which the scheme relates, or by

the council of any municipal borough directly affected by the scheme, or by any inhabitant ratepayers (not less than twenty) of any municipal borough or place directly affected by the scheme.

Amendment of
32 & 33 Vict. c. 56,
s. 39, as to appeal
to Queen in Council.

14. *Whereas, by section thirty-nine of the principal Act it is provided that Her Majesty may by order in Council refer any petition to Her Majesty in Council for the Consideration and advice of five members at the least of her Privy Council, of whom two, not including the Lord President, shall be members of the Judicial Committee, and it is expedient to provide that such petition should be heard by persons of legal experience; Be it therefore enacted, that—

*Repealed by Stat.
Law Revision
(No. 2) Act, 1893.

Every *such petition to Her Majesty in Council in pursuance of section 10 thirty-nine of the principal Act shall be referred to the Judicial Committee of Her Majesty's Privy Council in like manner as if it were an appeal from a court from which an appeal lies to Her Majesty in Council, and the Judicial Committee shall hear and deal with such petitions in like manner as such appeals, and shall have the same power with respect to the costs of parties to the petition and otherwise as they have with respect to any such appeal, and shall make to Her Majesty a report or recommendation thereon (the nature of which shall be stated in open court) in like manner as in the case of any such appeal.

Repealed by Statute
Law Revision Act,
1883.

Any power by the Supreme Court of Judicature Act, 1873, conferred on Her 20 Majesty of directing that appeals which ought to be heard by the Judicial Committee shall be heard by the appellate branch of such Court shall, if Her Majesty in Council thinks fit so to direct, apply to petitions presented in pursuance of the said section thirty-nine in like manner as if they were appeals, and if either an Order in Council relating to other appeals or any separate Order in Council directed that such petitions be referred for hearing to and be heard by the appellate branch of the said Court, the same shall be referred to and heard by that branch of the Court accordingly.

Laying of schemes
before Parliament,
and approval of Her
Majesty in Council.

15. If, at the expiration of the time for a petition to Her Majesty in Council against any scheme, no such petition has been presented, and no petition praying that the scheme be laid before Parliament has been presented in pursuance of this 30 Act to the Committee of Council on Education, it shall be lawful for Her Majesty by Order in Council to declare her approbation of such scheme without the same being laid before Parliament.

If any such petition has been presented, the scheme shall be laid before both Houses of Parliament, and shall be so laid forthwith, if Parliament is then sitting, after the expiration of the time for the presentation of a petition to Her Majesty in Council, or (if a petition is presented to Her Majesty in Council against the scheme) after any later date at which the petition is withdrawn, or Her Majesty in Council directs the scheme to be laid before Parliament, and if Parliament be not then sitting, shall be so laid within three weeks after the 40 beginning of the next ensuing session of Parliament; and if such scheme has

lain before Parliament for not less than two months during the same session, then unless an address has been presented within such two months by one or other of the Houses of Parliament praying Her Majesty to withhold her consent from such scheme or any part thereof, it shall be lawful for Her Majesty by Order in Council to declare her approbation of such scheme or any part thereof to which such address does not relate.

16. The Commissioners shall make to the Committee of Council on Education in every year a report of their proceedings under the principal Act and this Act, and such report shall be laid before Parliament. Such report shall
10 describe all schemes not laid before Parliament which have been approved by Her Majesty during the year for which such report is made.

17. *The power of making and approving a scheme under the principal Act as amended by this Act shall continue as respects unopposed schemes until thirty-first December one thousand eight hundred and seventy-four, and as respects schemes against which a petition shall have been presented to the Committee of Council on Education, as in this Act provided, until the fifteenth August one thousand eight hundred and seventy-four, and no longer.*
Continuance of powers of making schemes.
Repealed, 37 & 38 Vict. c. 87, s. 7.

18. Whenever according to the rules, regulations, statutes, trusts, or constitution of any school, being an endowed school within the meaning of "The
20 Endowed Schools Act, 1869," and with regard to which the said Commissioners are thereby empowered to make a new scheme, the head master or any other master is required to be a graduate of some specified university or universities, a graduate of any university of the United Kingdom having the degree which would be a qualification if it had been granted by one of the said specified universities, shall in future, if otherwise qualified, be eligible as such head master or other master.

19. *Where a scheme has been laid before Parliament during the present session, but has not at the expiration of such session lain for forty days before Parliament, and no address has been presented by either House of Parliament praying Her Majesty to
30 withhold her consent from such scheme or any part thereof, the Committee of Council on Education may, if they think fit, cause to be published and circulated, in such manner as they think sufficient for giving information to all persons interested, a notice stating that unless within two months after the first publication of the notice such petition as is in this section mentioned is presented to the Committee of Council on Education such scheme may be forthwith approved by Her Majesty.*
Application of Act to schemes laid before Parliament during present session.
Repealed by Statute Law Revision Act, 1883.

*During the said two months a petition praying that the scheme may lie before Parliament during two months as directed by this Act may be presented to the Committee of Council on Education by any governing body, council, or ratepayers, who would, if such scheme were approved by such Committee after the commencement of this
40 Act, be authorised by this Act to present a petition praying that such scheme may be laid before Parliament.*

If no such petition is presented within the said two months it shall be lawful for Her Majesty by Order in Council to declare her approbation of such scheme in like manner as if it had lain for forty days before Parliament in accordance with the principal Act.

Any scheme to which this section applies and which is not approved by Her Majesty under this section shall continue to lie before Parliament, and the provisions of this Act shall apply in like manner as if such scheme had been laid before Parliament in pursuance of this Act.

20. *The principal Act is hereby repealed as from the commencement of this Act to the extent mentioned in the third column of the schedule to this Act: Provided, that this repeal shall not—* 10

- (a) *Affect anything duly done or suffered under any enactment hereby repealed; or*
- (b) *Affect any right, obligation, or liability acquired or incurred under any such enactment; or*
- (c) *Affect any legal proceeding or remedy in respect of such right, obligation, or liability.*

SCHEDULE.

A description or citation of a portion of an Act is inclusive of the words or other part first or last mentioned or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation. 20

<i>Session and Chapter.</i>	<i>Title.</i>	<i>Extent of Repeal.</i>
32 & 33 Vict. c. 56	<i>The Endowed Schools Act, 1869.</i>	<i>Section thirty-seven down to "all persons interested," section thirty-nine from "Her Majesty by " Order in Council may refer any such petition, down to "information for obtaining a scheme," and section forty-one, except as regards schemes which have lain for forty days before Parliament before the commencement of this Act.</i>

Repeal.
Repealed by Stat.
Law Revision Act,
1883.

Repealed by Statute
Law Revision Act,
1883.

[37 & 38 VICT. CH. 87.]

AN ACT TO AMEND THE ENDOWED SCHOOLS ACTS.

Endowed Schools
Act, 1874.

[7th August 1874.]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Repealed by Statute
Law Revision
(No. 2) Act, 1893.*Transfer of Powers.*

1. **On and after the thirty-first day of December one thousand eight hundred and seventy-four* all powers and duties by the Endowed Schools Acts
10 vested in or imposed on the Endowed Schools Commissioners shall be transferred to and imposed on the Charity Commissioners, and, except as otherwise provided by this Act, shall be exercised and performed by the Charity Commissioners in like manner and form and subject to the same conditions, liabilities, and incidents respectively as such powers and duties have been exercised and performed by the Endowed Schools Commissioners, or as near thereto as circumstances permit.

Transfer of powers
of Endowed Schools
Commissioners to
Charity
Commissioners.

On and after the thirty-first day of December one thousand eight hundred and seventy-four the Commissioners, secretary, assistant commissioners, and other persons appointed and employed in pursuance of the Endowed Schools Acts shall cease to hold office.

Repealed by Statute
Law Revision Act,
1893.

- 20 2. Her Majesty *and her successors may at any time *after the passing of this Act, by warrant under her sign manual, from time to time appoint any number of persons not exceeding two to be paid Charity Commissioners for England and Wales and a person to be secretary in addition to the three paid Charity Commissioners and secretary capable of being appointed under the Charitable Trusts Acts, 1853 to 1869. The two additional Commissioners and additional secretary appointed in pursuance of this Act shall hold office during Her Majesty's pleasure, and their salaries shall, unless otherwise directed by Parliament, cease to be paid after the expiration of five years from the said thirty-first day of December one thousand eight hundred and seventy-four.

Power to add to
Charity Commis-
sioners.

- 30 Save as in this section mentioned, the additional Commissioners shall have the same powers, perform the same duties, and stand in all respects in the same position as the other paid Charity Commissioners with the exception of the Chief Commissioner.

* Repealed by Statute
Law Revision (No. 2)
Act, 1893.

The *Commissioners of Her Majesty's Treasury may allow the Charity Commissioners to employ such number of assistant commissioners, officers, and clerks as the *Commissioners of Her Majesty's Treasury may think necessary for the purpose of enabling the said Charity Commissioners to perform the additional duties imposed upon them by this Act.

Salaries of Charity Commissioners and their officers.
Repealed by Statute Law Revision Act, 1883.

3. *There shall be repealed so much of the Charitable Trusts Acts 1853 to 1869, as regulates the amounts of the salaries of the Commissioners, their secretary, and inspectors; and there shall be paid to the Commissioners, their secretary, or secretaries, assistant commissioners, inspectors, officers, and clerks, whether appointed under this Act or under the said Charitable Trusts Acts, out of moneys provided by Parliament, such salaries as the Treasury may from time to time determine: Provided that no decrease shall be made in pursuance of this section in the salary of any Charity Commissioner, secretary, inspector, officer, or clerk appointed before the passing of this Act under the said Charitable Trusts Acts, or any of them.*

10

Amendment of Law.

Exercise of certain powers by Charity Commissioners.
Repealed by Statute Law Rev. (No. 2) Act, 1893.

4. Any power by the Endowed Schools Act, 1869, vested in the Charity Commissioners, upon application made to them by the Commissioners under the said Act, may *after the said thirty-first day of December, One thousand eight hundred and seventy-four* be exercised by the Charity Commissioners of their own motion.

Quorum of Commissioners.

5. A scheme of the Charity Commissioners made in pursuance of the powers of this Act and the Endowed Schools Acts, or any of them, shall not be submitted to the Committee of Council on Education unless it has been approved at a meeting of the Board at which there are present not less than three Commissioners (of whom one shall be the Chief Commissioner, or, in his absence from illness or unavoidable cause, such other Charity Commissioner as may for the time being be named by the Committee of Council on Education); in all other respects one Charity Commissioner may act under the Endowed Schools Acts as amended by this Act.

20

Miscellaneous and Repeal.

Continuance of powers transferred to Charity Commissioners.

6. The powers of making schemes under the Endowed Schools Acts as amended by this Act shall continue in force for a period of five years from the said thirty-first day of December one thousand eight hundred and seventy-four; and during the continuance of such powers any court or judge shall not, with respect to any endowed school or educational endowment which can be dealt with by a scheme under this Act and the Endowed Schools Acts, or any of such Acts, make any scheme or appoint any new trustees without the consent of the Committee of Council on Education.

30

Repeal of Acts.
Repealed by Statute Law Revision Act, 1883.

7. *On and after the said thirty-first day of December one thousand eight hundred and seventy-four the enactments set forth in the schedule annexed hereto shall be repealed to the extent to which such enactments are therein expressed to be repealed.*

Provided that the repeal enacted in this Act shall not affect—

- (1.) *Anything duly done under any enactment hereby repealed:*
- (2.) *Any right or privilege acquired or any liability incurred under any enactment hereby repealed.*

40

8. *Notwithstanding the seventeenth section of the Endowed Schools Act, 1873, any scheme which has before the passing of this Act been submitted by the Endowed Schools Commissioners to the Committee of Council on Education for approval may be proceeded with.*

Saving clause as to certain schemes
Repealed by Statute Law Revision Act, 1883.

10 *Provided, that with respect to every such scheme which has not been approved by the Committee of Council on Education before the passing of this Act, such Committee shall before approving the same cause such scheme, after the passing of this Act, and that notwithstanding any prior publication and notice, to be published and circulated in such manner as they think sufficient for giving information to all persons interested, together with a notice stating that during one month after the publication of such notice the Committee of Council on Education will receive any objections or suggestions made to them in writing respecting such scheme.*

9. In this Act, so far as is consistent with the context, the expressions following have the meanings hereafter assigned to them ; that is to say, Definitions.

The expression "The Endowed Schools Acts" means the Endowed Schools Acts, 1869 and 1873 :

The expression "The Endowed Schools Commissioners" means the Commissioners appointed in pursuance of the Endowed Schools Act, 1869 :

20 *The expression "The Charity Commissioners" means the Charity Commissioners for England and Wales.*

Repealed by Statute Law Revision (No. 2) Act, 1890.

10. This Act, so far as consistent with the tenor thereof, shall be construed as one with the Endowed Schools Acts, as amended by this Act ; and in the construction of the Endowed Schools Acts the expression "the Commissioners" shall, unless there is something in the context inconsistent therewith, *on and after the said thirty-first day of December one thousand eight hundred and seventy-four*, mean the Charity Commissioner ; and *this Act and the other Acts mentioned in this section may be cited together as the Endowed Schools Acts, 1869, 1873, and 1874, and this Act may be cited separately as "The Endowed Schools Act, 1874."*

Construction and short title.

Repealed by Statute Law Revision (No. 2) Act, 1893.

SCHEDULE.

ACTS PARTLY REPEALED on and after the thirty-first day of December one thousand eight hundred and seventy-four.

Repealed by Statute Law Revision Act, 1883.

Session and Chapter.	Abbreviated Title.	Extent of Repeal.
32 & 33 Vict. c. 56.	<i>The Endowed Schools Act, 1869.</i>	<i>The first paragraph of section fifty-two, and the whole of sections thirty one, forty-eight, and fifty-nine.</i>
36 & 37 Vict. c. 87.	<i>The Endowed Schools Act, 1873.</i>	<i>Section seventeen.</i>

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